

August 3, 2020

The Board of Ellis County Commissioners met in regular session at 5:00 p.m., Monday, August 3, 2020, 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 Dustin G. Roths and Commissioner Dean F. Haselhorst.

Also present were County Administrator J D Cox, 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

It was noted that agenda item IX on the Kansas Department of Commerce Grant with Hess Services will be rescheduled.

County Administrator JD Cox discussed an update to an Emergency Medical Services (EMS) Purchase Order that had been approved last year. This will be under the consent agenda.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any updates to the Draft Minutes of June 15 and Special Meeting of June 22, 2020. Roths asked to add the "s" on his name in the June 15, 2020 Minutes. Chair Schlyer stated that the June 15 and 22, 2020 minutes stand approved.

CONSENT AGENDA

Motion: Roths Second: Haselhorst

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

Voucher Claims

Voucher claims dated August 4, 2020, for \$500,216.04.

Purchasing Card claims dated July 23, 2020, for \$46,070.28.

Payroll Claims

Payroll health insurance dated July 30, 2020, for \$228,915.41.

Payroll #16 claims on matches and deductions dated July 31, 2020, for \$167,158.36.

Payroll #16 dated July 31, 2020, for \$418,625.91.

Purchase Order

Approve Emergency Medical Services Purchase Order 7520 at \$161,960 to replace Purchase Order 7488 at \$209,680, as the Health Services Director has found a 2020 ambulance to replace the prior approved purchase.

Tax Roll Adjustments

Tax Roll Adjustment claim 2020000143 was reviewed.

Disposition: The motion passes by a voice vote of three to zero.

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

Fair Board Manager Melinda Fross discussed making contacts with those that have rented the Fairgrounds facilities with the direction starting in August to stay under 50 attendees at events and to shut down in September if the numbers continue to increase with the COVID-19. Most are wedding events and those renters have concerns with the limited number that could attend. Fross stated that rentals are full throughout year 2021.

Fair Board Member Justin Scheck had concerns that if they must shut down at the fairgrounds, then other local businesses in the community will pick up these events.

Roths stated that he will recuse himself from any discussion and will abstain from any voting on this matter since he is establishing a rental business.

Staci DeWild has rented one of the fairground buildings for her November wedding and voiced her concern that with all their planning shutting down would be disheartening. She asked that they consider other restrictions before shutting down the rental facility.

COVID-19 UPDATE – ELLIS COUNTY HEALTH DIRECTOR JASON KENNEDY

Health Services Director Jason Kennedy presented an update on the COVID-19 in the County. Kennedy reported that they are seeing increased cases with one in the hospital. They have seen a spike since the July 4th Holiday and see mass gatherings showing an increase of COVID-19 cases. He is hopeful with the face mask requirement that the cases will decrease. Kennedy stated that everyone is affected by the COVID-19. He would like to see the County buildings closed until after flu season. He again stressed not to touch nose, mouth or eyes, social distancing and no large mass gatherings.

FAIR UPDATE – PRESIDENT JILL PFANNENSTIEL

Fair Board President Jill Pfannenstiel reported how the 2020 Ellis County Fair did through the COVID-19. Pfannenstiel stated that they did not have indoor activities. Numbers were down in some areas. They provided face mask and disinfectant throughout the fairground. Most outside activities had good attendance.

MASS GATHERINGS AT COUNTY FACILITIES DURING PANDEMIC

Haselhorst and Schlyer shared calls and concerns from the public that they have received on this matter. Schlyer stated he did not wish to close small businesses. Haselhorst stated he would like to see language put into the rental contract protecting the County on liability issues with the COVID-19. Haselhorst and Schlyer would like to see more education to the renters of the fairground facilities to encourage downsizing the number attending events and follow all the CDC guidelines. Also, to include signage in the buildings relating to these guidelines. They will work on the liability issue in the rental contract.

Haselhorst and Schlyer decided to keep the fairground rental buildings opened and see how it goes. They will continue to monitor this situation. Kennedy asked to move this action into the community mitigation plan. Haselhorst and Schlyer were in favor in adding this to the plan.

PARAMETERS OF COST REIMBURSEMENTS ASSOCIATED WITH THE NAME CHANGE OF ROME ROAD

County Administrator JD Cox presented bills that have been received from those affected with the road change to Rome Road. John T. Bird had started a GoFundPage to collect funding in helping those with expenses due to the change of the road name. Roths had donated \$200 for the cost of road signage to the Public Works Department. Currently there is \$690 in the GoFundPage account.

Public Works Director Bill Ring stated that a sign was added at Yocemento and Rome Road.

Commissioners set September 1st as the deadline to request funding to help with this cost. They will then review all bills that have been submitted.

APPOINTMENT OF PLANNING AND ZONING COMMISSION – ENVIRONMENTAL SUPERVISOR MASON RUDER

Environmental Supervisor Mason Ruder stated that on the open Planning and Zoning Commission Board position, he has Mark Brackney that would serve the three-year position.

Motion: _____ Haselhorst _____ Second: _____ Roths

To appoint Mark Brackney to a three-year term expiring June 30, 2023 to the Joint Planning Commission.

Disposition: _____ The motion passes by a voice vote of three to zero.

CONDITIONAL USE PERMIT – ENVIRONMENTAL SUPERVISOR MASON RUDER

Joint Planning Commission Chair Dave McDaniel presented a Conditional Use Permit number 2019 for Midwest Energy Nathan McNeil, acting as agent for Robert D. and Gloria VonLintel, Landowners.

Motion: Roths Second: Haselhorst

To approve Conditional Use Permit (CUP) 2019 to allow Midwest Energy to construct a substation located near the intersection of Vincent Avenue and Chetolah Gold Road in rural Ellis County as the zoning regulations have been followed and approved by the Planning and Zoning Commission on July 8, 2020.

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

RESOLUTION NO. R-2020-11

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 2019 by Midwest Energy, acting as agent for Robert D. & Gloria VonLintel, landowners, for a substation is approved.

This is on the below described property, to wit:

A 4.25 acre tract of land that will be located in the S16, T15, R16, ACRES 306.7, S2; EX TR BEG 1009.3 NE SW COR TH N 467 TH E 467 TH S 467 TH W 467 TO POB; LESS RD R/W

The site location is the 2700 block of Vincent Ave, 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 3rd day of August, 2020.

BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY,
KANSAS

Robert (Butch) Schlyer, Chairman
Dustin G. Roths, Commissioner
Dean F. Haselhorst, Commissioner

ATTEST: Donna J. Maskus, County Clerk

McDaniel stated that they have a Vacation of Plat 2018 and conducted a public hearing and no protest filed.

Motion: Haselhorst Second: Roths

To approve Vacation of Plat 2018 to allow the Arapahoe Estates Plat to be vacated which is located on Homestead Road approximately one-quarter mile east of Highway 132 (250th Avenue) in rural Ellis County as the zoning regulations have been followed and approved by the Planning and Zoning Commission on July 8, 2020.

Disposition: The motion passes by a voice vote of three to zero.

RESOLUTION NO. R-2020-12

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 vacation of plats.

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

A request for a Vacation of Plat 2018 by Leon Scott Seaton, landowner, for a vacation of the Arapahoe Estates Subdivision is approved.

This is on the below described property, to wit:

ARAPAHOE ESTATES, BLOCK A LOTS1-5, SECTION 34, TOWNSHIP 11, RANGE 18, ELLIS CO,
KS approximately ¼ mile east of US Highway 183 (250th Ave) on Homestead Road, Ellis County, KS

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 3rd day of August, 2020.

BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY,
KANSAS

/S/ Robert (Butch) Schlyer, Chairman
/S/ Dustin G. Roths, Commissioner
/S/ Dean F. Haselhorst, Commissioner

ATTEST:

/S/ Donna J. Maskus, County Clerk

COUNTY ADMINISTRATOR REPORT – COUNTY ADMINISTRATOR JD COX

County Administrator JD Cox called on Election Officer Donna Maskus to share on the Primary Election.

Maskus stated that at noon today Advance Voting ended in the office. She reported that 11% of the qualified voters have voted. Poll sites will be opened from 7:00 a.m. until 7:00 p.m. Election Day, August 4th. She thanked Public Works Director Bill Ring for letting four members of his staff help set up the election supplies today. Building and Custodian Staff also helped with the set-up this year of plexi glass stands going to all nine poll sites. She thanked and commended her staff for all their hard work. She encouraged everyone who has not voted to get out and vote tomorrow.

Roths had asked if an unaffiliated voter can vote. Maskus stated in a Primary Election an unaffiliated voter may declare democrat or republican party and will get to vote.

County Administrator Cox stated that the construction crew is now on site repairing the Law Enforcement Center elevator.

County Administrator Cox stated that our bond rating for the Northwest Business Corridor is an AA minus which is good news. As we build reserve funding this rating could change.

County Administrator Cox undated on COVID-19 funding programs. The Community Development Block Grant at \$132,00 for economic development and meals. This funding will go to County. As a grant, Cox commented that these usually have more work involved.

A FEMA Grant at \$125,00 under the CARES Act with FEMA covering 75% with a 25% local match.

County Administrator Cox stated that the CARES Act in our County is on track with the time schedule. They have established an email for any questions to elliscares@ellisco.net. They have a committee that has been very busy and has used Zoom Meetings. Cox recognized Fire and Emergency Management Director Darin Myers for his help with this project. He thanked Informational Technology Director Mike Leiker for getting a portal in place so funding could be applied on a short notice.

Today at noon was the deadline for the CARES Act with 106 applications received requesting \$1,408,267,494. We had been notified that the County funding is at \$5,700,000. The committee will be reviewing the applications and the Commission will be making the final decision. He hopes that Grow Hays can give assistance with recommendations on these applications. These applications will be broken down to public health and safety, governmental, education, non-profit and for-profit. A consideration on the applications will be what impact would they have on our community.

County Administrator Cox stated that there is a round two with funding going directly to Kansas individuals for public health, economic development and education.

A Special Commission Meeting will be held at 8:00 a.m. on Thursday, August 13, 2020 in the Commission Chambers on the CARES Funding. Haselhorst asked that information be shared ahead of that meeting so the Commission can review.

County Administrator Cox said that he will be reporting at future meetings on the progress of the COVID-19 funding.

County Administrator Cox mentioned that he enjoyed his recent visit to the City of Hays and Ellis City Commission Meetings. He hopes to attend a future Victoria and Schoenchen meetings, but they meet on the same days that the County meets.

COUNTY COMMISSION REPORTS

Haselhorst had no report.

Roths shared that he had attended the Hays City Commission Meeting and shared the action that the County did on wearing a face mask. The City of Hays then approved an ordinance requiring wearing a face mask. He is a member of the Downtown Development Committee and it was announced that the "Brews on the Bricks" event has been cancelled and that is their big fund raiser. He is a member on the strategic planning for Ellis County citizens where they are looking to do projects and complete them within five years. They will find ways to fund these projects. A band shelter is one

idea they have.

Schlyer had no report.

EXECUTIVE SESSION

No Executive Session was called for.

ADJOURNMENT

With no further business, Chair Schlyer stated that the meeting will adjourn at 6:41 p.m.

A Special Session will be held on the CARES Act, Thursday, August 13, 2020, at 8:00 a.m.,
Administrative Center, Commission Chambers, 718 Main Street, Hays, Kansas.

The next regular meeting will be held Monday, August 10, 2020, at 5:00 p.m., Administrative
Center, Commission Chambers, 718 Main Street, Hays, Kansas.

BOARD OF ELLIS COUNTY COMMISSIONERS:

ROBERT "BUTCH" SCHLYER, CHAIR

DUSTIN G. ROTHS, COMMISSIONER

DEAN F. HASELHORST, COMMISSIONER

ATTEST:

DONNA J. MASKUS, COUNTY CLERK