



COUNTY COMMISSION

Monday, September 14, 2015

5:00 PM Following Public Building Commission Meeting

Ellis County Administrative Center – Basement Meeting Room

Order of Business

I. Opening

- A. **Call to Order**
- B. **Pledge of Allegiance**
- C. **Clerk Calls the Roll**
- D. **Order of Business**
Consideration of Amendments

II. Prior Minutes

September 8, 2015

III. Consent Agenda

- A. **Approval of Employee Status Changes as presented**
- B. **Approval of Refunding Warrants as presented**
- C. **Approval of Tax Roll Adjustments as presented**
- D. **Approval of Escape Tax Orders as presented**
- E. **Approval of Adds and Abates as presented**
- F. **Approval of Accounts Payable and Payroll as presented**

IV. Issues from Persons Not on the Order of Business

V. Public Requests/Presentations/Reports Agenda

A. Extension Service Report – Holly Dickman

VI. Action Items Agenda

A. Spray rig for Noxious Weed Department's new pickup (Public Works Department Interim Director Curt Hoffman/Noxious Weed Director Gary Haas) [enclosure](#)

B. Report on public hearing of conditional use permit #1519/Public Works-Simpson (Zoning Administrator Karen Purvis) [enclosure](#)

C. Public notification fee (Zoning Administrator Karen Purvis) [enclosure](#)

D. Joint Planning Committee Appointments (Zoning Administrator Karen Purvis) [enclosure](#)

E. Purchase of 4 servers (Information Technology Director Mike Leiker) [enclosure](#)

F. Public Works Right of Way Acquisition-Consideration of Accepting/Purchasing Right of Way for Projects (Public Works Department Interim Director Curt Hoffman) [enclosure](#)

G. Fire Truck Replacement-Rescue (Rural Fire Chief Darin Myers)

VII. Issue Introduction/Report Agenda

- A. Consolidation of Rural Fire Station (Rural Fire Chief Darin Myers)**
- B. High Risk Rural Roads Force Account Agreement (Public Works Department Interim Director Curt Hoffman)**
- C. Public Works Open Positions (Public Works Department Interim Director Curt Hoffman)**
- D. County Commission Reports**
 - 1. Northwest District nomination to serve on the Kansas Workers Risk Cooperative for Counties (KWORCC) Board of Trustees**
 - 2. Ellis County Voting delegate and alternate for KWORCC Annual Meeting**
 - 3. County Smoking/Vaping Policy [enclosure](#)**
 - 4. August 2015 Monthly Financial Report (report available at the Ellis County Clerk's Office)**
- E. Executive Session**

VIII. Adjournment

Prepared for Commission Meeting 9/14/2015

Noxious Weed Department is seeking approval to build with purchase of components or purchase a pre-built 300 gallon skid mounted sprayer for the new 2016 Ford F250 truck we received August 17, 2015.

The sprayer this would be replacing is a 200 gallon unit built in 1989. Currently this 25 year old unit is mounted on a flatbed and is in need of being refabricated into a skid mounted sprayer to fit into new truck bed. The old tank and spray components are not in good condition to use for the new sprayer.

I would like to build a new unit with new components and plumbing. We would use this for roadside spraying, bare ground work, lawn work at county, state and city property, and pasture spraying for noxious weeds on county, state, city, and private property. The new unit would be equipped with the following spray attachments; Boom Buster Boom for pasture and lawn spraying, boom less nozzles for roadside spraying, and handgun for bare ground, spot treatments, and tree and brush control.

Also, needed is a GPS Guidance unit needed for herbicide placement accuracy and to prevent overlapping, saving herbicide dollars and preventing grass injury. GPS would also be used to map noxious weeds in county to track infestations and eradication results.

Also, needed is a rate controller for application accuracy and herbicide savings. This computer unit would keep track of flow, pressure, mph and keep application rates constantly accurate even with changing speeds. Some claim an 18-20% chemical savings. With average annual chemical cost of \$30,000 applied this unit would be beneficial. The added level of accuracy would be very important to me. None of our 4 current spray trucks have rate controllers but need to be equipped with in the future. Our neighboring counties all have controllers and state wide 90% + of weed departments do.

In discussions with Curt Hoffman, Interim Public Works Director, Mark Polifka, Shop Foreman, and Rick Rupp, Office Manager about this project and how to fund it, it has been suggested to me that this may be funded with Road & Bridge Capital Improvement. Attached is cost estimate, and photos of our department 2 current pickup sprayers and 2 photos of sprayers built by Fairbanks Equipment.

Gary Haas
Ellis County Noxious Weed Control Supervisor
Office: 785-628-9445
Cell: 785-656-2614
Email: nxweed@elliscounty.net

Enclosures
mrd

Estimated Cost to Purchase Pre-assembled or Components to Build 300 Gallon Skid-mounted Sprayer & Boom Attachment for Roadside and Pasture Spraying for New Noxious Weed Department Pickup

Option 1	Components only, no guidance or rate controller. Assembly to be completed by Weed Dept. and Public Works.	
1.	300 gal tank and saddle	\$697.33
2.	Raven 3 section boom valve	\$503.19
3.	Banjo 2" strainer	\$41.37
4.	Gauge	\$37.08
5.	Hannay hose reel with roller	\$765.00
6.	1/2" hose for reel 225'	\$614.25
7.	Green Garden hand gun	\$148.39
8.	Raven 1" poly control valve for pressure	\$237.54
9.	Plumbing: hoses, fittings, wiring, etc.	\$1,000.00
10.	Boombuster nozzles (2-265, 2-140)	\$387.39
11.	Kodiak 6" actuator (2)	\$712.22
12.	Boom control panel - Model 203	\$300.00
13.	RAM control mount	\$360.32
14.	Honda motor and pump	\$1,650.00
		\$7,454.08 Estimated Total

Option 2 Components and guidance. Guidance is needed for herbicide application accuracy and to prevent overlapping. Assembly to be completed by Weed Dept. and Public Works.

15.	Add Trimble EZ Guide for mapping and guidance <i>(Add to Option 1)</i>	\$1,950.85
		\$9,404.93 Estimated Total

Option 3 Components with guidance and rate controller. Rate controller for herbicide accuracy. Computer maintains chemical rate at various speeds. Assembly to be completed by Weed Dept. and Public Works.

16.	Add Raven 450 for rate control <i>(Add to Option 2 total, minus line item #12)</i>	\$1,786.53
		\$10,891.46 Estimated Total

Option 4 Completely assembled and installed by vendor. With guidance and rate controller.

17.	Add Envizio Pro II for advanced mapping, guidance, and rate control <i>(Added to Option 1, minus line item #12)</i> <i>(Vendor Assembly and Installation \$5000)</i>	\$5,447.19
		\$17,601.27 Estimated Total

Additional Components needed for new 2016 Ford F250 Pickup and 300 gallon Skid-mounted Sprayer Paid for from Noxious Weed Budget

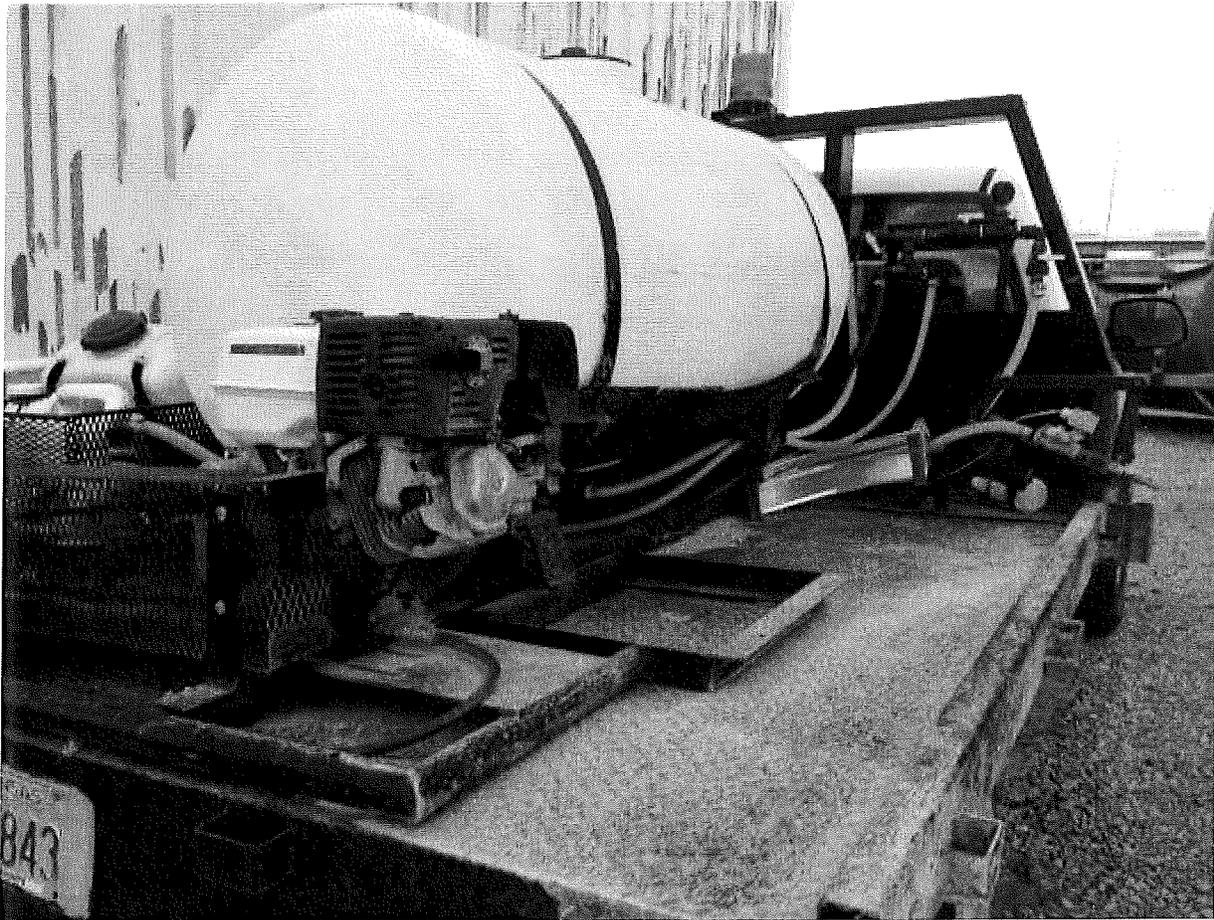
18.	Steel for sprayer skid and headache rack, 2" 11 gauge, tubing 80' and misc. steel	\$328.00
19.	Powdercoat sprayer and headache rack	\$300.00
20.	Safety lighting 1 beacon and 2 strobes in headache rack	\$558.59
		\$1,186.59 NX Weed Est. Total

Weed Dept 200 gal Sprayer - that needs to be replaced.



Gary Haas to: nxweed

09/08/2015 03:47 PM



Sent from my iPhone

Weed Dept 300 gal Sprayer - that we rebuilt in 2014.



Gary Haas to: nxweed

09/08/2015 03:58 PM

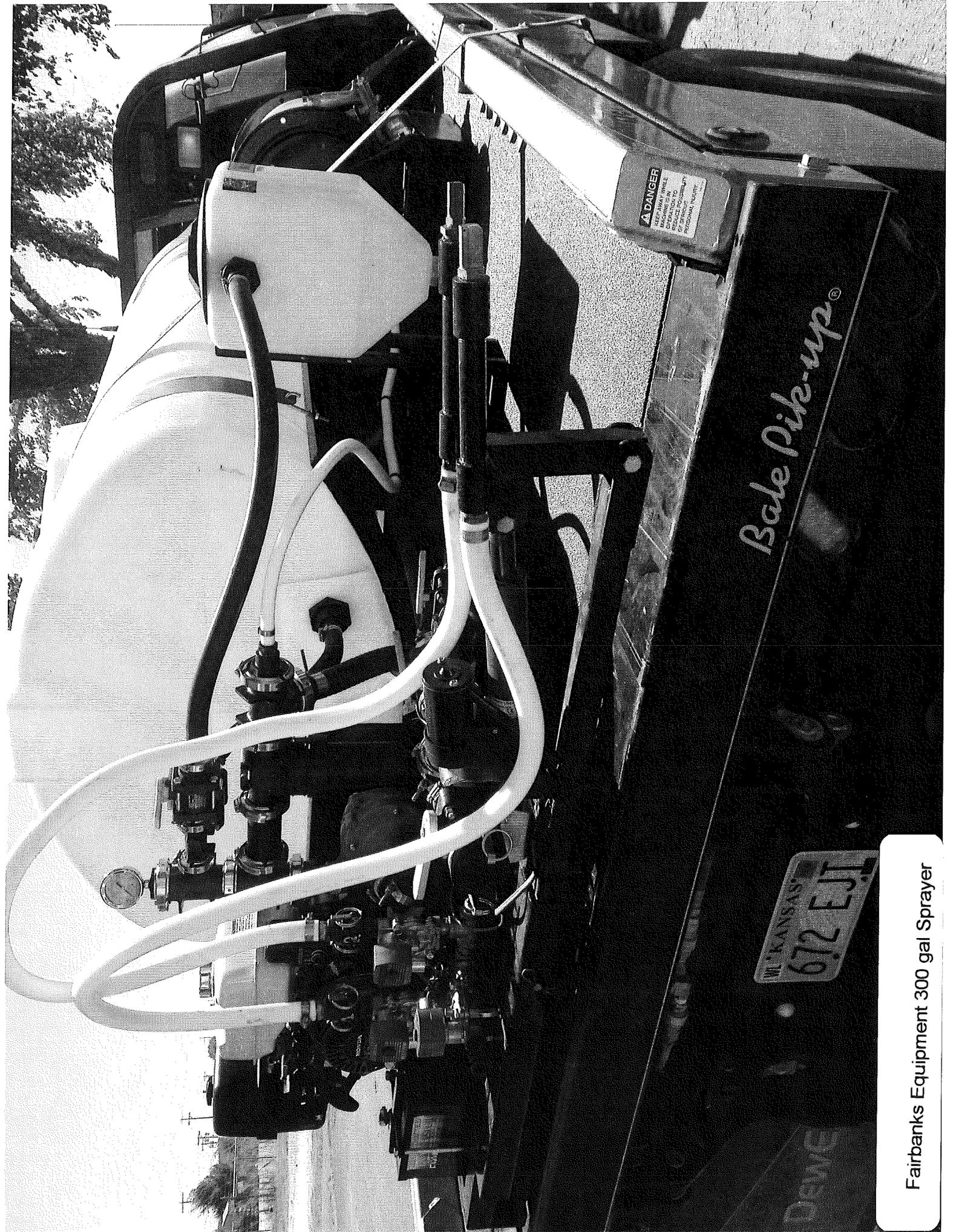


Sent from my iPhone



ENSEN
TRUCK EQUIP.
COFFEYVILLE, KS

Allen County Sprayer built by Fairbanks



Fairbanks Equipment 300 gal Sprayer



Ellis County Planning and Zoning

718 Main Street Lower Level Hays, KS 67601
(785) 628-9449 Fax (785) 628-9448
email karen@ellisco.net

September 8, 2015

TO: Ellis County Commissioners
RE: Conditional Use Permit 1519
Ellis County Public Works/Donna Simpson

The public hearing was held on August 26, 2015 on the Conditional Use Permit #1519. The Conditional Use Permit Application/Development Plan were sent to you previously.

Procedures of Article 32-102 of the Ellis County Zoning Regulations were followed, along with Article 20-102 through 20-104. A site inspection was also conducted on the site.

At the close of the public hearing, the Planning Commission voted 4-0 to approve the Conditional Use Permit/Development Plan application. The fourteen day protest period ends on Wednesday, September 9, 2015 at 5:00. As of the time of this letter there have not been any protests filed with the Ellis County Clerk.

The Planning and Zoning Commission directed the Zoning Administrator to present this application for your approval.

A handwritten signature in cursive script, appearing to read "Karen Purvis".

Karen Purvis, R.S.
Zoning Administrator

Attachments: Finding of Fact
Draft Minutes from the August 26, 2015 meeting

JOINT PLANNING COMMISSION
ELLIS COUNTY, KANSAS

Application Number: 1519

Applicant's Name: Curt Hoffman, Ellis County Interim Public Works Director

Conditional Use Requested:

To open a gravel pit to supply Ellis County Road & Bridge Department with gravel to place on Ellis County roads in the northern part of the county.

Date of Hearing: 8/26/2015

Place of Hearing: Ellis Co. Commission Chambers

Recommendation:

- Approve
 Approve with conditions (attach conditions)
 Disapprove
 No recommendation

Guidelines and Findings of Fact

1. Whether approval of the conditional use would be consistent with the intent and purpose of the Ellis County Zoning Regulations.

Article 1-102 (a) states: To promote the health, safety, comfort and general welfare of the citizens of Ellis County, Kansas. The gravel from this pit would mean less trucking gravel from other pits to this area, and therefore have better and safer roads.

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood.

It shouldn't pose a problem as the surrounding land is zoned agriculture. There was a county gravel pit located in the area before but they want to use that area for hunting now.

3. Whether the proposed use places an undue burden on the existing transportation and service facilities in the area affected and, if so, whether such additional transportation and service facilities can be provided.

There is an existing entrance and it will be utilized. If the entrance needs to be widened or maintained, the road and bridge department will provide that service. No service facilities will be needed.

4. Whether the proposed use is made necessary or desirable because of change or changing conditions in the area affected.

Approving the conditional use permit will cut down the distance of hauling gravel from other pits, since there is no pit that can be utilized in this area.

5. The length of time the subject property has remained vacant or undeveloped as zoned; provided, the use of land for agricultural purposes shall be considered as viable use of the land and not be considered as allowing the land to be vacant or undeveloped.

This land is zoned as agriculture and the proposed use would be considered a viable use of the land.

6. Whether the applicant's property is suitable for the proposed use.

The Road and Bridge Department has conducted a test hole to check the quality of the pit.

7. The recommendations of permanent or professional staff.

The Zoning Administrator recommends approval of the Conditional Use Permit. (CUP).

8. Whether the proposed conditional use would be in conformance with and further enhance the implementation of the County's comprehensive plan.

Chapter 3 of the comprehensive plan deals with the transportation and county road maintenance with gravel.

9. Whether the relative gain to the public health, safety and general welfare outweighs the hardship imposed on the applicant by not upgrading the value of the property by approving the proposed conditional use.

The hardship of the lengthy travel distance to haul gravel will be eliminated.

10. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent (as authorized in Article XXVII of the Zoning Regulations), will not adversely affect the property in the area affected.

The applicant will follow state regulations for removal of gravel, therefore it will not be adversely affected.

11. Other relevant factors based upon the facts and evidence presented in the application and the public hearing.

The Conditional Use Permit/Development Plan and documentation was complete, notifications were made, sign was posted, and protest period will be announced.

Date: 8/26/2015


Chairman

Ellis County Joint Planning Commission Meeting Minutes for August 26, 2015

Members Present:

David McDaniel
John Schulte
Rob Soneson
Dick Klaus

Members Absent:

Glenn Cox
Brett Schmidt
Nathan Leiker

Staff Present:

Karen Purvis, R.S./Zoning Administrator
Lynette Stramel, Recording Secretary

Counsel Present:

Bill Jeter

+++++

The August 26, 2015 meeting of the Ellis County Joint Planning Commission was called to order by Chairman David McDaniel at 7:00 p.m. The meeting was held at 718 Main St. Commission Chambers.

Roll call was taken. 4 members were present. There was a quorum.

Minutes: Dick Klaus moved to approve the June 24, 2015 minutes as written. Rob Soneson seconded the motion. Motion carried 4-0.

Public Presentations:

none

Staff Report: Karen Purvis presented to the Planning and Zoning Commission the activity report since the last meeting.

Public Hearing:

John Schulte made the motion to Open the Public Hearing. Rob Soneson seconded the motion. Motion carried 4-0. Chairman McDaniel declared the Public Hearing for CUP1519 Donna Simpson/Ellis County Public Works now open. Chairman McDaniel asked the staff to present the Public Hearing agenda item. Karen Purvis presented the information relating to the Conditional Use Permit 1519 for Donna Simpson/Ellis County Public Works.

Chairman McDaniel asked the applicant, Curt Hoffman, Interim Public Works Director if he would like to speak and/or make a presentation. Curt Hoffman addressed the board with details of their plans to open a gravel pit on the property owned by Donna Simpson/Simpson Irrevocable Farm Trust. This gravel pit will be used to supply Ellis County Road and Bridge Department with gravel to place on Ellis County roads in the North East portion of the county. Committee members asked questions of the staff, applicant, and property owner. All questions were answered to their satisfaction.

Karen Purvis presented her findings for the Conditional Use Permit 1519 for Donna Simpson/Ellis County Public Works. She stated all the procedures and forms were completed in a timely manner, fees paid and all requirements completed. Karen recommends approval of the Conditional Use Permit 1519. Chairman McDaniel made a final request for any further questions.

Motion made by Dick Klaus to Close the Public Hearing and begin deliberations. John Schulte seconded the motion. Motion carried 4-0. Discussion proceeded among members concerning the approval of Conditional Use Permit 1519. Commission completed the Findings of Fact for the Donna Simpson/Ellis County Public Works Conditional Use Permit 1519. Rob Soneson made a motion to approve Conditional Use Permit 1519 for Donna Simpson/Ellis County Public Works as presented and to recommend approval to the County Commissioners. John Schulte seconded the motion. Motion carried 4-0. John Schulte moved to approve the Development Plan as presented and to recommend approval to the County Commissioners. Dick Klaus seconded the motion. Motion carried 4-0.

Chairman McDaniel announced the protest period ends September 9, 2015.

Chairman McDaniel reminded all that the Joint Planning Commission is just an advisory board for the County Commission and the County Commissioners will make the final decision. He then asked staff to have this placed on the County Commission agenda and provide necessary documents to them before the meeting.

Old Business: Chairman McDaniel opened the discussion on the previously requested 2015 Annual Report of the Joint Planning Commission on the 6 Short Term Goals of the Comprehensive Plan Implementation. Chairman McDaniel stated he felt the staff did an excellent job preparing this report. Chairman McDaniel requested the discussion and any action on this annual report be tabled until the next Joint Planning Commission meeting with more members of the Planning Board present. It was agreed upon by the members present to do so.

Karen Purvis updated the status of the three current vacancies on the Joint Planning Commission. These vacancies have not been filled as of yet. In addition, normally this board has election of officers during the August meeting. However, this will need to wait until after the new members are appointed. County Commissioner McClelland, who was in attendance, stated the County Commission would take any recommendations to fill these vacancies.

New Business:

Chairman McDaniel opened the discussion on the possibility of changing the public hearing publication fees. Karen Purvis stated the Zoning office is currently losing money on the \$50.00 publication fee and would like to see the fee raised. Discussion followed. Dick Klaus made a motion to authorize Karen Purvis to go to the County Commissioners with a request to raise the public hearing publication fee from \$50 to \$60. Rob Soneson seconded the motion. Motion carried 4-0. This request along with CUP1519 will be presented by Karen at the County Commission meeting after the 14 day protest period has expired.

Other Business:

none

Confirmation of next meeting date: The next meeting will be scheduled for September 23, 2015 at Ellis County Administrative Center Commission Chambers, 718 Main Lower Level, Hays, KS at 7:00 p.m.

Adjournment: John Schulte moved the meeting be adjourned. Rob Soneson seconded the motion. Motion carried 4-0. The meeting was adjourned at 7:32 p.m.

Respectively Submitted

Lynette Stramel

Chairman

Date

DRAFT

RESOLUTION NO. R-2015- 17

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 by Curt Hoffman, Ellis County Interim Public Works Director, agent for landowner, Donna Simpson - Simpson Irrevocable Farm Trust, for a sand and gravel mining operation is approved upon the following described property, to-wit:

The Northwest Quarter of the Northeast Quarter (NW/4 of NE/4), the Northeast Quarter of the Northwest Quarter (NE/4 NW/4) and the South Half of the Northeast Quarter (S/2 NE/4) and the Southeast Quarter (SE/4) of Section Twelve (12), Township Eleven (11) South, Range Seventeen (17) West of the 6th P.M., Ellis County, Kansas, less a tract at the Southwest corner of the Southeast Quarter consisting of approximately 314.8 acres.

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 14th day of September, 2015.

BOARD OF COUNTY COMMISSIONERS OF
ELLIS COUNTY, KANSAS

Martha L. McClelland, Chair

Dean F. Haselhorst

Barbara K. Wasinger

Attest:

Donna Maskus, County Clerk



Ellis County Planning and Zoning

718 Main Street Lower Level Hays, KS 67601

(785) 628-9449 Fax (785) 628-9448

email karen@ellisco.net

September 8, 2015

TO: Ellis County Commissioners
Action Items for Planning and Zoning

1) Change publication fees for public hearings

Resolution R-2009-11 sets an application fee of \$50.00 for publication. This is to be paid when the Conditional Use Permit/Development Plan (CUP) is filed. The bills that we receive from the Hays Daily News for the public notification runs from \$52 to \$59 depending on the information that is needed. The Zoning Board has asked me to bring it up to increase the fee to \$60.00 for publication.

2) Changing number of members on the Joint Planning Commission

Resolution R-2001-17 " 1) The membership of the Ellis County Joint Planning Commission will remain at nine (9) at-large members plus one member representing the City of Schoenchen."

You were notified in May that three members would be coming off the board at the end of their terms on June 30, 2015. As of this time we still do not have any appointments to fill those positions.

K.S.A. 12-744. Same; planning commission; creation; membership; vacancies; interlocal agreements; metropolitan or regional planning. (a) The governing body of any city, by adoption of an ordinance, may create a planning commission for such city and the board of county commissioners of any county, by adoption of a resolution, may create a planning commission for the county. Any such planning commission shall be composed of not less than five members. The number of members of a planning commission may be determined by ordinance or resolution. If a city planning commission plans, zones or administers subdivision regulations outside the city limits, at least two members of such commission shall reside outside of but within three miles of the corporate limits of the city. A majority of the members of a county planning commission shall reside outside the corporate limits of any incorporated city in the county. A county, metropolitan or regional planning commission may serve as the planning commission for a city. (b) The governing body shall provide by ordinance or resolution for the term of the members of the planning commission and for the filling of vacancies. Members of the commission shall serve without compensation. The governing body may adopt rules and regulations providing for removal of members of the planning commission.

A handwritten signature in black ink, appearing to read "Karen Purvis".

Karen Purvis, R.S.
Zoning Administrator

TO: Ellis County Commissioners
FROM: IT Director Michael Leiker, CGCIO
DATE: Monday, September 14, 2015
SUBJECT: Server Replacement Purchase

As part of the move of Administrative Services and the Data Center from the Courthouse to the Administrative Center, a required upgrade of obsolete servers was planned by the IT Department. Now that all of the construction, networking and configuration of the Data Center at the Admin Center is complete; we are ready to upgrade the physical host servers that run all of our core services.

The server configuration includes two physical servers at the Data Center and two physical servers at the backup site. We have selected the Emergency Services Building being constructed on 22nd Street as our backup site because of its physical location, security and backup power capabilities. It is also the new location for the Emergency Operations Center. This configuration will give us the capability of running completely autonomously at the backup site in the event the Administrative Center becomes inoperable. This project was planned for in the CIP and budgeted for in the Capital Equipment Reserve Fund (016). Below is a summary of the cost breakdown from the bids received for the servers (a bid for HP servers from CDWG was solicited but no response was received):

(4) Lenovo ThinkServer (Nex-Tech)	\$16,600.00
(4) Dell PowerEdge (Dell)	\$15,022.56

I would like to recommend that we purchase 4 Dell PowerEdge servers from Dell in the amount of \$15,022.56 and would ask for approval from the Ellis County Commission.

Deed
Right of Way for Public Road

Deed, made 8th day of September, 2015, by Bemis Ranch LLC, hereinafter referred to as Grantor, To Ellis County, Kansas hereinafter referred to as Grantee. Grantor hereby grants Grantee, its successors and assigns a right-of-way hereinafter described, over and across the hereinafter described land for a public road. The right-of-way shall be across Grantor's land which is located and described as follows:

(See attached Description)

Grantee shall have the right to enter the above described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road together with such bridges, culverts, ramps, and cuts as may be necessary on, over, and across the real estate hereinbefore described.

** Grantee must allow for movement of livestock through the concrete box structures at Sta. 317+00 and Sta. 308+00. **
The Grantor hereby accepts \$205.59 as full compensation for the above described

right-of-way.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first written.

Taylor Bemis
Taylor Bemis

Manager

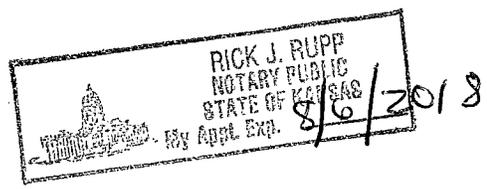
State of Kansas
County of Ellis

BE IT REMEMBERED that on this 8th day of September, 2015 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Taylor Bemis, who is personally known to me to be the same Person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my seal; the day and year last above written.

Rick J. Rupp
Notary Public

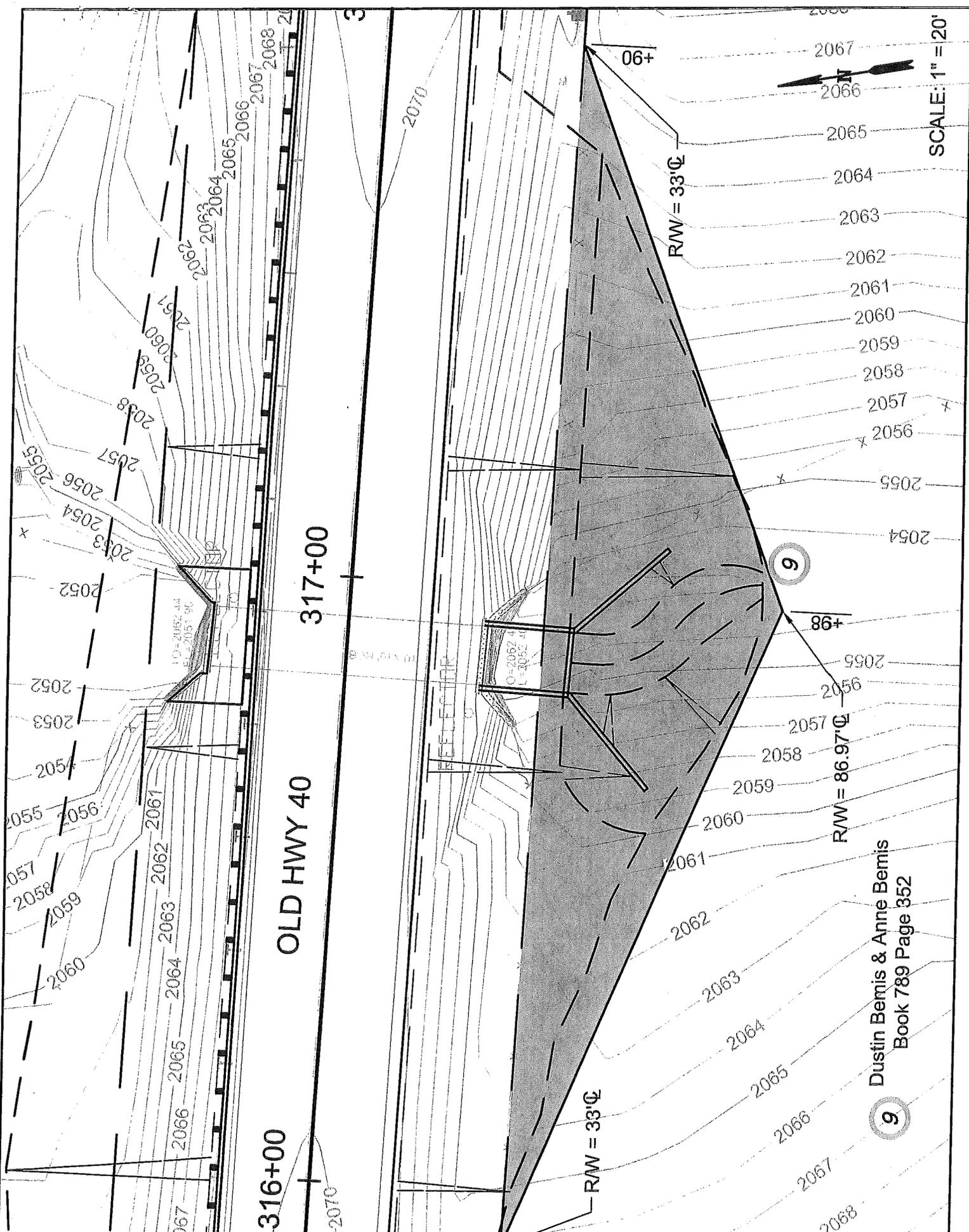
My appointment expires 08/06/2018



Description: Permanent Right of Way Easement - Bemis Ranch LLC

A tract of land located in the Northeast Quarter of Section 20, Township 13 South, Range 19 West of the 6th P.M., Ellis County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Section 20; thence along the East Line of the Northeast Quarter of said Section 20
S. 00°29'51" W. 777.2 feet; thence perpendicular to the East Line of the Northeast Quarter of said Section 20
N. 89°30'09" W. 1508.0 feet to the Point of Beginning, also being on the South Right of Way Line of Old Highway 40 and 33.0' Rt. of CL Sta. 317+90.0, according to 2013 plans "Old Hwy 40 Asphalt Widening and Overlay"; thence
S. 69°31'39" W. 100.3 feet; thence
N. 66°29'00" W. 114.25 feet to the South Right of Way Line of Old Highway 40; thence along the South Right of Way Line of Old Highway 40
S. 86°58'26" E. 199.0 feet to the Point of Beginning, containing 0.09 acres of Permanent Right of Way Easement.



SCALE: 1" = 20'

Dustin Bemis & Anne Bemis
Book 789 Page 352

9

9

Deed
Right of Way for Public Road

Deed, made 8th day of September, 2015, by Bemis Ranch, LLC, hereinafter referred to as Grantor, To Ellis County, Kansas hereinafter referred to as Grantee. Grantor hereby grants Grantee, its successors and assigns a right-of-way hereinafter described, over and across the hereinafter described land for a public road. The right-of-way shall be across Grantor's land which is located and described as follows:

(See attached Description)

Grantee shall have the right to enter the above described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road together with such bridges, culverts, ramps, and cuts as may be necessary on, over, and across the real estate hereinbefore described.

The Grantor hereby accepts \$198.40 as full compensation for the above described right-of-way.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first written.

Taylor G. Bemis
Taylor G. Bemis

Manager

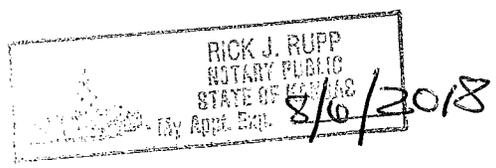
State of Kansas

County of Ellis

BE IT REMEMBERED that on this 8th day of September, 2015 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Taylor G Bemis who is personally known to me to be the same Person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my seal; the day and year last above written.

Rick J. Rupp
Notary Public



My appointment expires 08/06/2018

Description: Permanent Right of Way Easement - Bemis Ranch LLC

A tract of land located in the Northwest Quarter of Section 21, Township 13 South, Range 19 West of the 6th P.M., Ellis County, Kansas, more particularly described as follows:

Commencing at the Northwest Corner of said Section 21; thence along the West Line of the Northwest Quarter of said Section 21

S. 00°29'51" W. 1193.4 feet; thence perpendicular to the West Line of the Northwest Quarter of said Section 21

S. 89°30'09" E. 1095.0 feet to the Point of Beginning, also being on the South Right of Way Line of Old Highway 40 and 33.0' Rt. of CL Sta. 344+64.0, according to 2013 plans "Old Hwy 40 Asphalt Widening and Overlay"; thence

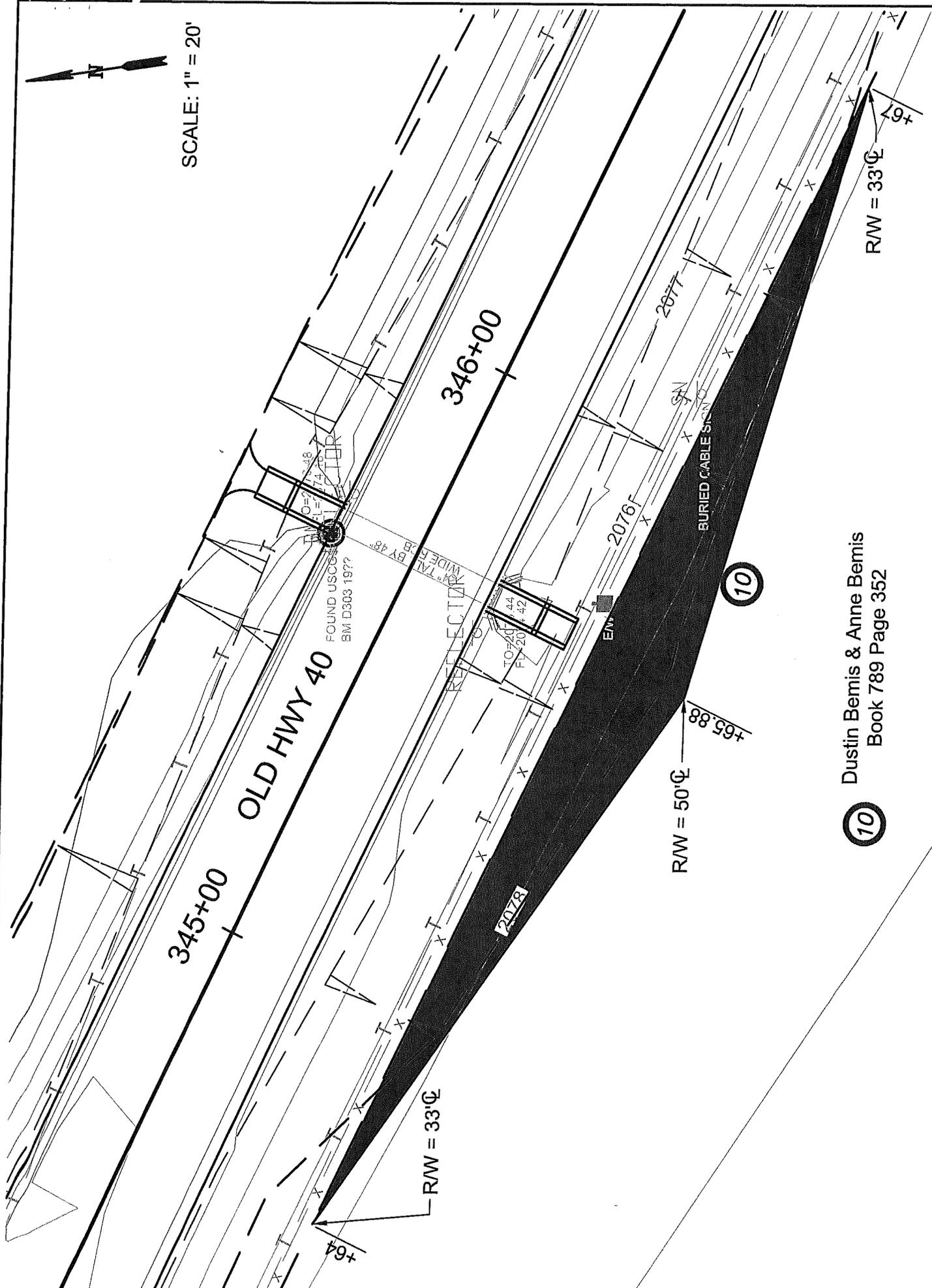
S. 55°12'42" E. 103.4 feet; thence

S. 74°13'41" E. 102.4 feet to the South Right of Way Line of Old Highway 40; thence along the South Right of Way Line of Old Highway 40

N. 64°40'26" W. 203.0 feet to the Point of Beginning, containing 0.04 acres of Permanent Right of Way Easement.



SCALE: 1" = 20'



10 Dustin Bemis & Anne Bemis
Book 789 Page 352

Resolution No. 1991-6

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 by K.S.A. 19-101(a) may perform powers of local legislation, and

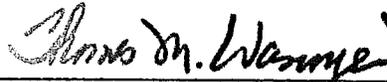
WHEREAS, K.S.A. 21-4009 et seq. prohibits smoking in a public place except in designated smoking areas, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, that effective March 1, 1991, the following shall be in force:

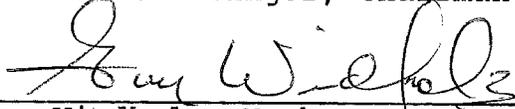
No person shall smoke in the Ellis County Courthouse building. Any person found guilty of smoking in violation of this resolution shall be fined as set forth in K.S.A. 21-4012.

Adopted this 25th day of February, 1991, by the Board of Ellis County Commissioners, Ellis County, Kansas.

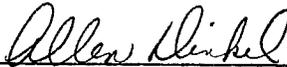
BOARD OF COUNTY COMMISSIONERS OF
ELLIS COUNTY, KANSAS



Thomas M. Wasinger, Chairman

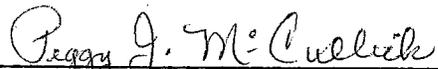


Guy Windholz, Member



Allen Dinkel, Member

ATTEST:


Peggy McCullick, County Clerk