



# COUNTY COMMISSION

Monday, August 8, 2016

5:00 PM Following Public Building Commission Meeting

Ellis County Administrative Center – Commission 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  
August 1, 2016
  
- 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. Canvass August 2, 2016 Primary Election (Election Official Donna J. Maskus)
- VI. County Attorney Filling Position (County Attorney Thomas Drees)  
Enclosure
- VII. Kansas Association of Counties Legislative Request (County Appraiser Lisa Ree) Enclosure
- VIII. Appointment of Emergency Manager (County Administrator Phillip Smith-Hanes) Enclosure
- IX. County Counselor Reports (County Counselor Bill Jeter)
- X. County Administrator Report (County Administrator Phillip Smith-Hanes)
- XI. County Commission Reports
- XII. Executive Session(s)
- XIII. Adjournment

**ELLIS COUNTY**  
**AGENDA ITEM COVER SHEET**  
**COMMISSION AGENDA DATE: 8-8-16**

**TOPIC:**

County Attorney rehiring legal assistant position in current budget.

**ACTION REQUESTED:**

Authorize County Attorney to rehire legal assistant position in current budget.

**DISCUSSION:**

One of the legal assistant positions has come open due to an employee taking a similar job in the private sector. The County Attorney is requesting he be allowed to refill the position. The salary and benefits are in the current 2016 Budget and have been approved for the 2017 Budget. This position is a vital component of the Ellis County Attorney's Office. Rehiring the position is necessary to continue the County Attorney's ability to provide services to Ellis County and its citizens at the current level.

**FINANCIAL IMPACT:**

The position is currently funded in the 2016 and 2017 Budget.

**PRESENTED BY:**

Thomas J. Drees, Ellis County Attorney

**REVIEWED BY COUNTY ADMINISTRATOR:**

Phil Smith-Hanes has been consulted. It is my understanding that current Elected Official/County Commission protocol does not include the county administrator in these types of personnel decisions. However, this might be a good time to address the current protocol to allow Elected Officials and/or Department Heads to review personnel with the Administrator to allow replacement of existing personnel; and reserve addressing the County Commission only if the request is for new personnel (and the necessary budget increase to accommodate new personnel).

**ATTACHMENTS:** None.

**ELLIS COUNTY**  
**AGENDA ITEM COVER SHEET**  
**COMMISSION AGENDA DATE: August 8, 2016**

**TOPIC:**

Discussion of Kansas Association of Counties Legislative Request.

**ACTION REQUESTED:**

Commission support and approval of the legislative request.

**DISCUSSION:**

During the 2016 legislative session, the date the County Appraiser must certify valuations to the County Clerk was changed from June 15<sup>th</sup> to June 1<sup>st</sup>. However, the date oil and gas operators must file their statements with the county appraiser remains the same at April 1<sup>st</sup>.

The new certification of value deadline shortens the time frame that County Appraisers have to hold oil and gas protest hearings. If these hearings are not finalized by June 1st, the County Appraiser will be required to certify values that may not reflect a true picture of the county's assessed valuation. Changing the filing deadline for oil and gas operators from April 1<sup>st</sup> to March 15<sup>th</sup> would allow appraisers more time to value oil and gas leases as well as more time to hold and finalize any protest hearings.

**FINANCIAL IMPACT:**

There is no financial impact associated with the requested action.

**PRESENTED BY:**

Lisa Ree, County Appraiser

**REVIEWED BY COUNTY ADMINISTRATOR:**

Yes  No  N/A

**REVIEWED BY COUNTY COUNSELOR:**

Yes  No  N/A

**ATTACHMENTS:**

Kansas Association of Counties Legislative Request Form.



**KANSAS ASSOCIATION OF COUNTIES**

**Legislative Request Form | 2017 Legislature**

**Instructions:** Three entities are eligible to submit a policy request: (1) a member county, (2) a KAC affiliate organization, or (3) a KAC associate organization. Any county official submitting a request must have support from the official’s respective county or affiliate/associate organization before submission. All requests must also include a prior discussion with a Kansas legislator before submission. KAC will only accept typed requests received by **September 2, 2016** that meet the listed requirements.

**1. Contact Information**

<b>Name:</b>	Lisa Ree, RMA
<b>Title:</b>	County Appraiser
<b>Entity:</b>	Ellis County
<b>Telephone:</b>	785-628-9400
<b>E-mail:</b>	<a href="mailto:elcoappr@elliscounty.net">elcoappr@elliscounty.net</a>

**2. Describe the legislative issue.**

K.S.A. 79-332a states oil & gas statements must be filed with the county appraiser on or before April 1<sup>st</sup>. We propose changing that date to March 15<sup>th</sup>, which is the same deadline for personal property filings.

**3. Describe any history on the issue.**

2016 HB 2088 affected K.S.A. 79-1467, which changes the deadline the county appraiser certifies values to the county clerk from June 15<sup>th</sup> to June 1<sup>st</sup>.

**4. Why does the issue need legislative resolution?**

K.S.A. 79-332a lists oil & gas statements be filed on or before April 1<sup>st</sup>. K.S.A. 79-1460 states the county appraiser will notify personal property (which includes oil & gas) taxpayers of value on or before May 1<sup>st</sup>. K.S.A. 79-1448 allows personal property owners to file an appeal with the county on or before May 15<sup>th</sup>. With the new certification deadline, this leaves little time to hold and make informed decisions on oil & gas protest hearings before June 1<sup>st</sup>. Several county appraisers have expressed that they will not have their hearings completed by June 1<sup>st</sup>, which could mean certifying overstated values to the clerk.

**5. Who will support the legislation? Who will oppose it?**

Counties will be in support of the legislation. It is possible KIOGA may oppose.

6. Do other counties support or oppose the legislation? Why or why not?  
I have visited with several county appraisers, who were all in support of the change.
7. Does this issue or problem have statewide effects and why?  
All personal property would have the same filing deadline. This would shorten the timeframe oil & gas operators would have to prepare and file their statements with the county appraiser. I believe this is a realistic deadline for oil & gas operators. County appraisers can extend the filing deadline if necessary.
8. Has this legislation had previous introductions? If so, when?  
None that I am aware of.
9. Which legislator did you approach and what was the response? Who will champion this bill during the legislative session?  
I have emailed Representative Hineman, a member of the Tax Committee. He agreed with the proposed change and stated he plans to have a bill prefiled before the 2017 session begins.
10. When did your county, affiliate, or associate approve this proposal?  

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11. Will you be present at the KAC Annual Conference during the legislative policy discussion to advocate for, and answer questions relating to, this legislation?  
Yes.
12. Attach any helpful documentation.

ANSWER ALL QUESTIONS TO ENSURE THAT THE COMMITTEE GIVES  
THOROUGH CONSIDERATION OF YOUR REQUEST  
Please return to Melissa Wangemann, General Counsel/Director of Legislative Services  
[wangemann@kansascounties.org](mailto:wangemann@kansascounties.org)  
Kansas Association of Counties, 300 SW 8<sup>th</sup> Avenue, Suite 300, Topeka, KS 66603  
**Deadline for Submission: September 2, 2016**

**ELLIS COUNTY**  
**AGENDA ITEM COVER SHEET**  
**COMMISSION AGENDA DATE: 8-8-16**

**TOPIC:**

Appointment of Emergency Manager

**ACTION REQUESTED:**

Approve Resolution #2016-08 appointing Darin Myers as Emergency Manager.

**DISCUSSION:**

The Commission previously approved consolidation of the Emergency Management function with the County Fire Department and creation of a new Director of Fire and Emergency Management position. State statute (K.S.A. 48-929) requires the Chair of the Board of County Commissioners to inform the state Division of Emergency Management of the "person who heads the agency responsible for providing [disaster] services." In the past, Ellis County has designated the Emergency Manager via resolution, most recently with Resolution #2008-22 designating William Ring. Pursuant to discussions between Mr. Ring and Fire Chief Darin Myers, it was agreed that today would be the best date for transition of formal authority to Mr. Myers. Accordingly, staff asks your Commission to adopt the attached resolution.

Chief Myers would also like to make a presentation regarding his plans for emergency management.

**FINANCIAL IMPACT:**

This item has no financial impact.

**PRESENTED BY:**

Phillip Smith-Hanes, County Administrator; Darin Myers, Director of Fire & Emergency Management

**REVIEWED BY COUNTY ADMINISTRATOR:**

Yes  No  N/A

**REVIEWED BY COUNTY COUNSELOR:**

Yes  No  N/A

**ATTACHMENTS:**

Resolution 2016-08

**RESOLUTION 2016-08**

**RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS**

**WHEREAS**, pursuant to K.S.A. 48-929, Ellis County has the responsibility to establish and maintain a disaster agency responsible for emergency management and coordination of response to disasters, and

**WHEREAS**, the Board of County Commissioners by Resolution No. 2008-22 appointed Mr. William Ring as County Emergency, and

**WHEREAS**, the Board of County Commissioners desires to consolidate the functions of the disaster agency with the County Fire Department,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS**, as follows:

1. Resolution No. 2008-22 is hereby rescinded;
2. Darin Myers, Director of Fire and Emergency Management, is designated to coordinate county planning for and response to disasters;
3. Mr. Myers may be contacted at 1105 E. 22<sup>nd</sup> Street, Hays, KS 67601, via telephone at (785) 625-1061, or via electronic mail at [ecfd@ellisco.net](mailto:ecfd@ellisco.net).

This resolution will take effect immediately upon publication in the official county newspaper.

Dated this 8<sup>th</sup> day of August, 2016.

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Dean F. Haselhorst, Chair

\_\_\_\_\_  
Martha L. McClelland, Commissioner

\_\_\_\_\_  
Barbara K. Wasinger, Commissioner

ATTEST:

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Donna J. Maskus, County Clerk