



COUNTY COMMISSION

Monday, January 9, 2017

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 January 3, 2017

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 Purchase Orders as presented
- G. Approval of Accounts Payable and Payroll as presented
- H. Approval of County Licenses as presented



- IV. Issues from Persons Not on the Order of Business
- V. Reorganizational Appointments of Ellis County Commission and Resolution on Commission Districts Enclosure
- VI. 2017 County Agreement to Treat Noxious Weeds for the Kansas Department of Transportation Enclosure
- VII. Monthly Financial Report
- VIII. County Counselor Reports (County Counselor Bill Jeter)
- IX. County Administrator Report (County Administrator Phillip Smith-Hanes)
- X. County Commission Reports
- XI. Executive Session(s)
- XII. Adjournment



ELLIS COUNTY
AGENDA ITEM COVER SHEET
COMMISSION AGENDA DATE: 1-9-17

TOPIC:

2017 Reorganizational Appointments for the Ellis County Commission and Resolution on Commission Districts

ACTION REQUESTED:

1. Appoint a Chair of the Board of County Commissioners.
2. Appoint a Vice Chair of the Board of County Commissioners.
3. Designate Commissioner-filled appointments.
4. Designate official depository/ies, County newspaper(s), regular meeting days/times, and Ellis County Kansas Public Building Commission Directors.
5. Confirm appointment of department heads.
6. Appoint non-Commissioner County representatives.
7. Appoint Ellis County Fair Board members.
8. Appoint Fire District #1 Company Chiefs.
9. Appoint Local Emergency Planning Council, Ellis County Council on Aging Board, and authorize Safety Committee.
10. Adopt Resolution 2017-1 (attached) confirming current County Commission districts and direct the County Clerk to publish it in the official County newspaper(s).

DISCUSSION:

Annually, the Commission makes various appointments. These include selection of a Chair and Vice Chair from amongst the Commissioners and selection of various Commissioner-filled appointments, as well as appointments of other individuals to County service and selection of official depositories, newspapers and meeting times.

In addition, this year staff is asking that the Commission adopt a resolution regarding Commission districts. Per K.S.A. 19-204, Commission districts should be "subject to alteration every three years." It has been more than three years since the current districts have been examined, but there is no new population basis for changing their boundaries. The Kansas Association of Counties has prepared the attached sample resolution, which was reviewed by the County Counselor.

Spots needing to be filled by Commissioners are:

- Commission Chair for 2017
- Commission Vice Chair for 2017
- Ellis County Economic Development Coalition
- Northwest Kansas Community Corrections Board
- Northwest Kansas Juvenile Services
- High Plains Mental Health Board
- Union Negotiating Committee Representative
- WorkforceONE (Local Workforce Development Area 1 Chief Elected Official Board)



Recommended appointments to other positions are:

Official Depositories: All federally insured banks in Ellis County

Official County Newspaper: *Hays Daily News* (and *Ellis Review* when published items impact the Ellis area directly)

Commission Regular Meeting Days/Times: First and third Mondays of each month (or the following day if Monday is a County holiday) at 5:00 p.m.; second Mondays of each month (or the following day if Monday is a County holiday) immediately following the Ellis County Kansas Public Building Commission meeting

Board of Directors of the Ellis County Kansas Public Building Commission: Dean F. Haselhorst, Martha L. McClelland and Barbara K. Wasinger

Appointed Department Heads:

- County Administrator: Phillip Smith-Hanes
- Appraiser: Lisa Ree
- Emergency Management Director: Darin Myers
- Emergency Medical Services Director: Kerry McCue
- Fire District #1 Director: Darin Myers
- Health Administrator: Kerry McCue
- Information Technology Director: Mike Leiker
- Public Works Director: Bill Ring

Appointment of Non-Commissioner County Representatives:

- ADA Officer: Phillip Smith-Hanes
- Affirmative Action Officer: Phillip Smith-Hanes
- County Coroner: Dr. Lyle Noordhoek
- Ellis County Historical Society Board: Tom Drees
- EMS Medical Consultant: Dr. James Black
- Flood Plain Administrator: Karen Purvis
- High Plains Mental Health Board (alternate voting member): Tom Drees
- Northwest Kansas Community Corrections Board: Pelgy Vaz
- Northwest Kansas Planning & Development Commission: Phillip Smith-Hanes
- Northwest Kansas Solid Waste Authority: Bill Ring
- Public Health Medical Consultant: Dr. Katrina Hess
- Solomon Valley E-Waste Coalition: Richard Grizzle (primary), Rick Rupp (secondary)
- Union Negotiating Committee: Bill Jeter
- Wellhead Protection Committee: Ken Richmeier
- Zoning Administrator: Karen Purvis

Ellis County Fair Board:

- President: Jill Pfannenstiel
- Vice President: Justin Scheck
- Treasurer: Julie Miller
- Secretary: Norleen Knoll
- Members: Shawn Braun, Cole Dreiling, Edna Hanson, Gretchen Jennings, Suzanne Klaus, Brennan Pfannenstiel, Darin Pfannenstiel, Jared Pfeifer, Jerry Sonntag, Michele Springer, Steve Unrein, Scott Wasinger



Fire District #1 Company Chiefs:

- Company 2: Rich Shubert, Chief; Will Montgomery, Asst. Chief; Justin Scheck, Captain
- Company 4: Tom Tholen, Chief; Cole Dreiling, Assistant Chief; Chris Brungardt, John Weber and Dave Gagnon, Captains
- Company 5: Rusty Lindsay, Chief; Adam Napell, Assistant Chief; Mitch Erwin and Chris Muench, Captains; Charles Albers and Jared Shelton, Lieutenants
- Company 6: Steve Seefeld, Chief; Brandon Pfeifer, Assistant Chief; Chris Cline and Tim Kohlrus, Captains
- Company 8: Cole Dinges, Chief; Matt Grabbe, Asst. Chief; Kyle Zimmerman, Captain
- Company 9: Russtin Weese, Chief; Mark Fisher, Assistant Chief

Local Emergency Planning Committee:

- Local Official: Ed Harbin, Sheriff
- Law Enforcement: Don Scheibler, Hays Police
- Firefighting: Gary Brown, Hays Fire Department
- Emergency Management: Darin Myers, County Fire & Emergency Management
- Health: Danielle Windholz, First Care Clinic
- Hospital: Mike Filley, Hays Medical Center
- Broadcast Media: Becky Kiser, Eagle Communications
- Transportation: Kevin Zimmer, KDOT
- Local Environmental Group: Holly Dickman, K-State Extension
- Community Group: Pete Peterson and Deb Tucker, Red Cross
- Facility Operator: Rusty Lindsay, USD 489
- Emergency Medical Service: Kerry McCue, Ellis County EMS
- Information Coordinator: Meagan Carver, County Fire & Emergency Management

Ellis County Council on Aging Board: Karen Ashbaugh, Roy Husted, Alberta Klaus, Twila Logsdon, Ilona Patterson

The Safety Committee as appointed in 2016 is disbanded, but the County Administrator is directed to convene a committee of County employees to discuss workplace safety issues.

FINANCIAL IMPACT:

There is no financial impact to this action.

PRESENTED BY:

Phillip Smith-Hanes, County Administrator

REVIEWED BY COUNTY ADMINISTRATOR:

Yes No N/A

REVIEWED BY COUNTY COUNSELOR:

Yes No N/A

ATTACHMENTS:

Resolution 2017-1



RESOLUTION 2017-1

RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS

WHEREAS, K.S.A. 19-204 requires boards of county commissioners to redistrict, and states that boards of county commissioners are “subject to alteration at least once every three years”; and

WHEREAS, K.S.A. 19-204 requires the board of county commissioners to redistrict into districts that are compact and equal in population; and

WHEREAS, case law and Kansas attorney general opinions require that redistricting meet the legal concept of “one person, one vote,” which occurs through districts of equal population; and

WHEREAS, case law and Kansas attorney general opinions require that redistricting be based on the most recent population numbers in order to accomplish equal populations within the districts; and

WHEREAS, the U.S. census occurs every ten years and population data is updated annually with certified population numbers reported to the Kansas Secretary of State;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, that it has complied with K.S.A. 19-204 in that it has relied upon the most recent population data to redistrict following the 2010 U.S. census; that there has been no significant population changes among the districts within the last three years; and that the Board of County Commissioners’ districts are compact and equal population as much as possible.

This Resolution is effective upon its adoption.

Dated this 9th day of January, 2017.

BOARD OF COUNTY COMMISSIONERS

Barbara K. Wasinger, Chair

Dean F. Haselhorst, Commissioner

Martha L. McClelland, Commissioner

ATTEST:

Donna J. Maskus, County Clerk



ELLIS COUNTY
AGENDA ITEM COVER SHEET
COMMISSION AGENDA DATE: 1-9-17

TOPIC:

2017 County Agreement To Treat Noxious Weeds For Kansas Department Of Transportation.

ACTION REQUESTED:

Approve the attached contract and authorize Commission Chair to sign.

DISCUSSION:

2016 KDOT Spray Agreement contract rates were \$30 per hour for labor and \$30 per hour for our 2.5 ton or our ¾ ton spray truck. After studying our labor costs with fringe included and speaking with other area county weed departments, I would suggest we move to \$32 per hour labor for 2017. For equipment rates for 2017 using FEMA equipment rates as a guide I would like to split up the rates for our 2 sizes of spray trucks. 2017 equipment rates will be \$32 per hour for ¾ ton spray truck and \$36 per hour for our 2.5 ton spray truck. We will continue to use these sources for a guide for future contracts.

FINANCIAL IMPACT:

Average for the last 4 years has been 56 hours labor and equipment on work performed for KDOT per year. Proposed rates could translate annually to approximately \$3696 labor and equipment, a \$336 revenue increase. Typical chemical expense sold to KDOT for these applications are \$2800 to which we charge 3% handling.

PRESENTED BY:

Gary Haas, Weed Control Supervisor

REVIEWED BY COUNTY ADMINISTRATOR:

Yes No N/A

REVIEWED BY COUNTY COUNSELOR:

Yes No N/A

ATTACHMENTS:

2017 Kansas Department of Transportation County Agreement to Treat Noxious Weeds





312 South Second
P.O. Box 350
Norton, KS 67654-0350

Richard Carlson, Acting Secretary
Jeff A. Stewart, P.E., District Engineer

Phone: 785-877-3315
Fax: 785-877-2531
Hearing Impaired - 711
kdot#publicinfo@ks.gov
<http://www.ksdot.org>

Sam Brownback, Governor

December 27, 2016

Board of County Commissioners
Ellis County Courthouse
P.O. Box 720
Hays, KS 67601

Dear County Commissioners:

Enclosed for your consideration is County Agreement to Treat Noxious Weeds along state and federal highways during the 2017 season.

Item No. 2 of the Agreement that refers to the use of dye in the chemical mixture to allow easy identification of areas treated is considered optional. **If the County does not wish to use the dye, please cross through Item No. 2 and initial.** We would discourage dye usage as we feel that it is not necessary or cost effective. *If you anticipate, the need to use different chemicals or application rates that would cause a significant increase to our yearly contract, I would appreciate if you could indicate the expected increase in your response.*

If the County concurs with this Agreement, please complete the labor and equipment cost per hour along with type and size of equipment in Item No. 4. Date the Agreement, sign and then return Agreement to Department of Transportation, P.O. Box 350, Norton, Kansas 67654-0350 by February 13, 2017.

If you have any questions regarding the Agreement, please contact Rob Percival at the Norton District office (785) 877-3315.

Sincerely,

JEFF A. STEWART, P.E.
DISTRICT ENGINEER

A handwritten signature in black ink, appearing to read "Rob Percival".

ROB PERCIVAL, P.E.
ASST. DIST. ENGINEER

JAS/RP/bs
Enclosure

**KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF MAINTENANCE**

COUNTY AGREEMENT TO TREAT NOXIOUS WEEDS

This agreement made and entered into this 9th day of January, 20 17, by and between the

Board of County Commissioners of Ellis County, hereinafter referred to as County, and the Kansas Secretary of Transportation, hereinafter referred to as Secretary. The Kansas Department of Transportation hereinafter is referred to as KDOT.

WHEREAS, The Kansas Legislature has declared certain weeds to be Noxious Weeds (see Kansas Noxious Weed Law), and

WHEREAS, The County desires to treat noxious weed infested areas on State Highway Rights-of-Way within said County and the KDOT desires to retain the County to spray and treat such areas, and

WHEREAS, The Secretary and County agree to enter into a performance agreement, where in the County shall treat all noxious weeds on State Highway rights-of-way in the County. A condition of the fulfillment of the agreement requires that treatment by the County will provide a satisfactory control of the noxious weeds. Satisfactory performance is defined as preventing the production of viable seed and/or destroying the plant's ability to reproduce by vegetative means.

NOW, THEREFORE, in consideration of the premises, the parties hereto agree as follows:

1. The county will notify the KDOT District Engineer or the authorized representative, prior to each treatment on highway right-of-way, of the scheduled time and location of such treatment.
2. ~~The County spraying operation may include a dye in the chemical mixture to allow easy identification of areas treated.~~ JH
3. A representative of the KDOT shall make periodic field inspections to check treated areas. A field log and record will be maintained by the KDOT indicating dates treated and inspected, location and size of areas, type of noxious weeds, apparent affect of treatment and other pertinent comments. Approval by the KDOT representative shall be required before the County will be paid for treatment.
4. Schedule of Cost: The County shall provide all chemicals (includes herbicides, surfactants and drift control materials as required), dye, labor and equipment to treat noxious weeds. Chemicals and dye are to be provided at the County's cost. Labor and equipment costs are as follows:

LABOR COST		COST	*EQUIPMENT RENTAL TYPE AND SIZE
<u>\$32.00</u>	/hr. operator	<u>\$32.00</u> /hr.	<u>3/4 Ton Spray Truck</u>
			<u>Guidance and Rate Controller</u>
<u>\$32.00</u>	/hr. operator	<u>\$36.00</u> /hr.	<u>2.5 Ton Spray Truck</u>

*Spraying equipment will have cab mounted flashing (or rotating) safety lights

5. Billing and Payment: The County shall submit to the KDOT District Engineer an itemized bill for wholesale cost of chemicals and dye furnished, plus actual cost of treating noxious weeds based on equipment rental and labor costs for areas of satisfactory performance. Upon receipt of proper billing and final approval, payment for treating noxious weeds will be made to the County by the KDOT.
6. Record of Work: The County representative doing the work shall:
 - Record size, location and type of noxious weed areas treated.
 - Record amount and kind of chemicals applied on each area.
 - Record dates chemicals were applied.
 - Maintain Report of Noxious Weed Treatment DOT FORM NO. 322-A, which shall be submitted to the KDOT within 1 to 2 weeks after treatment.
 - Maintain records until all claims are paid, but in no case less than the three year statutory time.
 - Make all records available for KDOT audit, when so requested by KDOT.

7. Chemicals, approved for use on highway right-of-way are listed below.

<u>CHEMICAL</u>	<u>TRADE NAME</u>	<u>RATE OF APPLICATION (metric)</u>
2, 4-D (amine or ester) (a)	numerous	1 to 2 lb. Equiv./acre (1.1 to 2.2 kg/ha)
Glyphosate (b)	numerous	1 1/2 lb. Equiv./acre (1.7 kg/ha)
MISMA	numerous	3 to 5 lb. Equiv./acre (3.8 to 5.6 kg/ha)
Sulfometuron (c)	Oust	3 to 6 ounces/acre (.21 to .42 kg/ha)
Picloram	Tordon	rate depends upon weed species
Chlorsulfuron	Telar	1/2 to 1 oz./acre (0.035 to 0.070 kg/ha)
Imazapyr	Arsenal/Habitat	1/4 lb. Active/acre (0.28 kg/ha)
Metsulfuron Methyl	Escort	rate depends upon weed species
Triclopyr (d)	Garlon	1/4 to 1/2 lb./acre (0.28 to 0.56 kg/ha)
Fluizafop P butyl + Fenoxiprop.	Fusion	7 to 9 fl. oz. per acre (83.8 to 107.75 ml/ha)
Imazapic (e)	Plateau	rate depends upon weed species
Quinclorac (f)	Paramount/Drive	rate depends upon weed species and desirable grass species
Sulfosulfuron (g)	Outrider	rate depends upon desirable grass species
Aminopyralid (h)	Milestone	rate depends upon weed species

- (a) May be used alone or in combination with other herbicides
 (b) (Round-up)
 (c) Spot treatment only
 (d) Sericea lespedeza
 (e) Do not use where cool season grasses are the desired species
 (f) Fall bindweed control
 (g) Do not use for more than 3 consecutive seasons
 (h) Musk, bull and Canada thistle

There may be other trade names for the herbicides listed.

8. Chemicals shall be mixed and applied as recommended by the manufacturer and in accordance with approved methods contained in the "Official Regulations" issued by the Kansas Department of Agriculture.
9. The County agrees to provide this service in a workmanlike manner, to be in strict conformance with the instructions for handling and applying noxious weed chemicals and to be responsible for any negligent acts or omissions that may occur in the performance thereof.
10. The County's spraying equipment shall be equipped with cab mounted amber high-intensity rotating, flashing, oscillating, or strobe light. Safety lights shall be visible from all directions and not obstructed from view by tanks and equipment mounted to or towed behind the spraying equipment. If a safety concern has been raised, and at the direction of KDOT personnel, the County will be responsible for supplying and placing of traffic control signs for a mobile operation per Chapter I of the KDOT Highway Sign Manual. All workers shall wear approved safety vests according to 23 CFR 634, "Worker Visibility".
11. This agreement shall terminate December 31st of this year, except records shall be maintained in accordance with Section Six above. Termination may be sooner by a ten day written notice from either party to the other. It is agreed further that this contract can be renewed for three consecutive years at the option of the Secretary upon a 30-day written notice to the contractor prior to December 31st of the current year. The contractor and the Secretary agree that all terms of the renewal will remain the same unless either party determines that the price of the chemicals should be re-negotiated.

This agreement is officially adopted by the Board of County Commissioners and recorded in the official records of the proceedings of said Board.

In witness whereof the parties have caused this Agreement to be executed by their duly authorized officers or representatives.

SECRETARY OF TRANSPORTATION

THE BOARD OF COUNTY COMMISSIONERS

BY

District Engineer

BY

Title: