

January 10, 2023

The Board of Ellis County Commissioners met in regular session at 8:30 am Tuesday, January 10, 2023, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Neal Younger called the meeting to order. Commissioners present: Chair Neal Younger, Commissioner Nathan Leiker and Commissioner Michael Berges. Also present were County Administrator Darin Myers, County Counselor Bill Jeter and County Clerk Bobbi L. Dreiling. The meeting opened with the Pledge of Allegiance.

### **ORDER OF BUSINESS**

There were no changes to the order of business.

### **EXECUTIVE SESSION**

There will be no executive sessions.

### **CONSENT AGENDA**

**Motion:** \_\_\_\_\_ **Leiker** \_\_\_\_\_ **Second** \_\_\_\_\_ **Berges**

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

#### **Payment Voucher Claims**

Freedom Claims Management payment dated January 4 in the amount of \$8,404.22.

Kansas 911 Coordinating Council payment dated January 9 in the amount of \$72,600

Purchase Order No 7705 to Penco Engineering in the amount of \$37,500.

#### **Tax Adjustments**

Tax roll adjustment number 2022000525-253

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

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

There were no issues from persons not on the order of business.

### **REORGANIZATIONAL APPOINTMENT OF ELLIS COUNTY COMMISSION**

Annually the Commission makes various appointments. These include a selection of Chair and Vice-Chair from amongst the Commissioners and selection of various commission filled appointments, as well as appointments of other individuals to county service and selection of office depositories, newspaper and meeting times.

**Motion:** \_\_\_\_\_ **Leiker** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Younger**

I move that the Commission appoint Neal Younger as Chair of the Board of County Commissioners for the next year.

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

**Motion:** \_\_\_\_\_ **Berges** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Younger**

I move that the commission appoint Nathan Leiker as Vice-Chair of the Board of County Commissioners for the next year.

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

**Motion:** \_\_\_\_\_ **Younger** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Berges**

I move that the Commission appoint Nathan Leiker to the Northwest Kansas Community Corrections Board.

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

**Motion:** Leiker Second: Berges

I move that the Commission appoint Neal Younger to the Northwest Kansas Juvenile Service Board.

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

**Motion:** Younger Second: Leiker

I move to appoint Michael Berges to the High Plains Mental Health board.

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

**Motion:** Younger Second: Berges

I move that the Commission appoint Nathan Leiker to the WorkforceONE CEOB.

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

**Motion:** Berges Second: Leiker

I move that the Commission designate official depositories, County newspaper(s), regular meetings days/times and Ellis County Kansas Public Building Commission directors as recommended by staff.

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

**Motion:** Berges Second: Leiker

I move that the Commission designate office depository/ies, County newspaper(s), regular meeting days/times, and Ellis County Kansas Public Building Commission.

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

**Motion:** Leiker Second: Berges

I move that the Commission approve all the recommended appointments as specified in the staff report

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

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:

Tuesday, January 3, 2023, 8:30 a.m.

Tuesday, January 10, 2023, 8:30 a.m. Public Building Commission to Follow

Tuesday, January 17, 2023, 8:30 a.m.

Tuesday, February 7, 2023, 8:30 a.m.

Tuesday, February 14, 2023, 8:30 a.m.

Tuesday, February 21, 2023, 8:30 a.m.

Tuesday, March 7, 2023, 8:30 a.m.

Tuesday, March 14, 2023, 8:30 a.m.

Tuesday, March 21, 2023, 8:30 a.m.

Tuesday, April 4, 2023, 8:30 a.m.

Tuesday, April 11, 2023, following Public Building Commission

Tuesday, April 18, 2023, 8:30 a.m.

Tuesday, Apr. 25, 2022, 8:30 a.m. Road Tour

Tuesday, May 2, 2023, 8:30 a.m.

Tuesday, May 9, 2023, 8:30 a.m.  
Tuesday, May 16, 2023, 8:30 a.m.  
Tuesday, June 6, 2023, 8:30 a.m.  
Tuesday, June 13, 2023, 8:30 a.m.  
Tuesday, June 20, 2023, 8:30 a.m.  
Wednesday, July 5, 2023, 8:30 a.m.  
Tuesday, July 11, 2023, following Public Building Commission  
Tuesday, July 18, 2023, 8:30 a.m.  
Tuesday, August 1, 2023, 8:30 a.m.  
Tuesday, August 8, 2023, 8:30 a.m.  
Tuesday, August 15, 2023, 8:30 a.m.  
Tuesday, September 5, 2023, 8:30 a.m.  
Tuesday, September 12, 2023, 8:30 a.m.  
Tuesday, September 19, 2023, 8:30 a.m.  
Tuesday, October 3, 2023, 8:30 a.m.  
Tuesday, October 10, 2023, following Public Building Commission  
Tuesday, October 17, 2023, 8:30 a.m.  
Tuesday, November 7, 2023, 8:30 a.m.  
Tuesday, November 14, 2023, 8:30 a.m.  
Tuesday, November 21, 2023, 8:30 a.m.  
Tuesday, December 5, 2023, 8:30 a.m.  
Tuesday, December 12, 2023, 8:30 a.m.  
Tuesday, December 19, 2023, 8:30 a.m.  
Tuesday, January 2, 2024, 8:30 a.m.  
Tuesday, January 9, 2024, following Public Building Commission

Board of Directors of the Ellis County Kansas Public Building Commission: Michael Berges, Nathan Leiker, Neal Younger

Appointed Department Heads:

- County Administrator: Darin Myers
- Appraiser: Lisa Ree
- Fire & Emergency Management Director: Darin Myers
- Emergency Medical Services Director: Danita Schroeder
- Health Administrator: Kim Reel
- Information Technology Director: Mike Leiker
- Public Works Director: Brendan Mackay
- Environmental Services Director: Justin Craig

Appointment of Non-Commissioner County Representatives:

- ADA Officer: Jennifer Taylor
- Affirmative Action Officer: Jennifer Taylor
- Central Kansas Library Board: Becky Rogowski (2022-2026)
- Ellis County Historical Society Board: Vacant
- EMS Medical Director: Dr. Jerod M. Grove

- Flood Plain Administrator: Justin Craig
- High Plains Mental Health Board (alternate voting member): Bill Ring
- Northwest Kansas Community Corrections Board: Vacant
- Public Health Medical Director: Dr. Tonya Knoll
- Public Health Officer: Kim Reel
- Solomon Valley E-Waste Coalition: Justin Craig (primary), Brady Weigel (secondary)
- Zoning Administrator: Justin Craig

#### Ellis County Fair Board:

- President: Jill Pfannenstiel
- Vice President: Justin Scheck
- Treasurer: Julie Miller
- Secretary: Norleen Knoll
- Members: Eric Dexter, Aaron DiVottore, Guy Forell, Spencer Herrman, Karlee Legleiter, Kelly Lewis, Brennan Pfannenstiel, Tessa Scheck, Jerry Sonntag, and Steven Unrein

#### Fire District #1 Company Chiefs:

- Company 2: Justin Scheck, Chief; Will Montgomery, Asst. Chief; Ed Meis, Captain
- Company 4: Cole Dreiling, Chief; Scott Wellbrock, Asst. Chief; Dave Richardson, Dylan Kuhn, and Grant Weber, Captains
- Company 5: Rusty Lindsay, Chief; Adam Napell, Asst. Chief; Charles Albers, Matt Lyon, and Ivan Robles, Captains; Lucas Everett, Zane Stipe, and Mason Wellbrock, Lieutenants
- Company 6: Steve Seefeld, Chief; Brandon Pfeifer, Assistant Chief; Shaun Burd and Chris Cline, Captains
- Company 8: Cole Dinges, Chief; Matt Grabbe, Asst. Chief; Kyle Zimmerman, Captain
- Company 9: Rustin Weese, Chief; Brandon Zimmerman, Asst. Chief

#### Local Emergency Planning Committee:

- Local Official: Scott Braun, Sheriff
- Law Enforcement: Don Scheibler, Hays Police
- Firefighting: Shane Preston, Hays Fire Department
- Emergency Management:
  - Lyle Pantle, County Fire & Emergency Management
  - Toby Prine, Kansas Department of Emergency Management
- Health:
  - Loren Herman, First Care Clinic
  - TBD, Angel Care Home Health
- Hospital:
  - Shawn Hoss, Hays Medical Center
  - Lance Smith, Hays Medical Center
- Communications/Media:
  - Becky Kiser, Eagle Communications
  - Jeff Ridgway, Ellis County PSAP Center
  - John Begler, Amateur Radio Club
- Transportation:

- Kevin Zimmer, KDOT
- Jesse Rohr, Hays Public Works
- Wade Kruse, ACCESS Transportation
- Jamie Salter, Hays Regional Airport
- Local Environmental Group: Justin Craig, Ellis County Environmental Office
- Community Group:
  - Pete Peterson and Xena Hoye, Red Cross
- Facility Operator:
  - Rusty Lindsay, USD 489
  - Jeff Crispin, City of Hays Water Resources
  - Debra Staab, Epworth Towers
  - Nolan Schmeidler, Buckeye Wind Energy
  - Don Johnson, EnerSys
  - Brandon Taylor, Cross Manufacturing
  - Chuck Staab, Midwest Energy
- Emergency Medical Service: Danita Schroeder, Ellis County EMS
- Information Coordinator: Lyle Pantle, Ellis County Fire & Emergency Management

Ellis County Council on Aging Board: Ilona Patterson – Chair, Oren Windholz, Mary Sauer, Jolene Niernberger

CARE Council (County Representatives): John Braun, Gary Brinker, Natalie Ellis, and Jaden Richardson

Leiker commented that there was no one appointed in the position for Angel Care Home Health. Myers explained it was hard to get a contact with Angel Home Care but he will continue to work on contacting someone and get it filled. Myers also explained that Brad Ricke, liaison for the Ellis County Historical Society was retiring so if any of the Commissioners know of someone that would like to be appointed to let him know. Another position that is available is Northwest Kansas Community Corrections Board. This position has been vacant for a number of years.

### **NOXIOUS WEEDS, KDOT AGREEMENT**

Noxious Weed Director Gary Haas asked the Commission to approve a new contract agreement to treat noxious weeds along state and federal highways during the 2023 season. Labor rates were last updated with an increase in 2020 and equipment rates were increased in 2017. Haas is recommending labor rates be increased from \$36 to \$38 per hour and increase in equipment rates from \$36 to \$40 per hour for a ¾ ton and 2-ton spray trucks. The UTV with sprayer was added last year to the contract at an hourly rate of \$25 per hour. If approved this would reflect a \$6 per hour increase for operator and roadside sprays truck. The financial impact would be the KDOT treatment of noxious weeds 3-year average which amounts to \$6715. Leiker asked if this was addressed on an annual review and asked why rates were not adjusted since 2020 and 2017. Haas said he reviewed the rates and they are right on target where rates should be. Younger asked how many hours were spent on this and if these hours were tracked. Haas said about three or four days are spent doing this spraying. He said they spend about a week’s worth on bind weeds. Younger asked if it was possible if a log could be kept on this. Haas said he would.

**Motion:** \_\_\_\_\_ **Leiker**                      **Second:** \_\_\_\_\_ **Berges**

I move to approve the rate changes and the contract presented by Noxious Weed.

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

**FORM 1302 OFF SYSTEM BRIDGE GRANT FORM**

Public Works Director Brendan Mackay is asking the Commission to approve and sign the proposed Design Engineering Agreement from Penco Engineering for replacing bridge 631.0-468.2 and the Kansas Department of transportation (KDOT) request for construction project form 1302. Ellis County Staff successfully applied for the FFY 2024 Off System Bridge Program from KDOT for the replacement of bridge 631.0-468.2. This bridge is 6 miles south of Walker over Big Creek on 370<sup>th</sup> Avenue. This structure currently is a 40' timber bridge that is approximately 62 years old. Flood waters continually overtop the bridge and wash away the approaches. The planned replacement structure will be a 160' reinforced concrete bridge that will improve the load capacity to legal limits and raise the structure higher to minimize the impact of flooding disrupting travel and use. The maximum amount of funding for this project is \$1,210,000. Eligible work includes construction and inspection performed under contract. Ellis County is responsible for any costs over the maximum award as well as costs for design, right-of-way acquisition, utility relocation, and any non-participating costs. The local share of the project is estimated at \$43,500 of which \$37,500 is for the preliminary engineering and design of the replacement structure. The funding for the local share will come from Fund 78 – Special Road and Bridge Fund. Berges asked what the lifespan is for bridges. Mackay said approximately 50-75 years.

**Motion:** \_\_\_\_\_ **Leiker** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Berges**

I move to approve PO# 7705 to Penco Engineering for the OS Bridge Program and the KDOT request for construction project form 1302.

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

**FIXED INVENTORY APPROVALS**

Ellis County Clerk Bobbi Dreiling presented the Departmental Inventory Report. Dreiling indicated every year each department head/elected official update their inventory to be reviewed and approved by the Commission. The Commissioners indicated that they have reviewed it and the report was signed.

**ROZ RESOLUTION 23-01**

County Administrator Darin Myers asked the Commission to approve Resolution 22-01 which is the participation of Rural Opportunity Zone Student Loan Repayment Program. The purpose of a ROZ zone is to help increase economic development and expand job growth in our area. The benefits of being a designated ROZ can help lower the cost of living, bring financial incentives to residents like the student loan repayment program and a State Income Tax Waiver for five years. The main financial benefits to new residents who benefit from a ROZ zone are a 5-year personal income tax credit on their state income taxes and a \$15,000 in student loan debt forgiveness. By approving a \$0-dollar resolution, this does not financially commit Ellis County to the financial incentives for the student loan repayment program. It does, however, allow other cities, employers, and foundations to financially commit to the program as they see fit. Ellis County can, by policy sponsor new county employees who move to Ellis County in the student loan repayment program. Berges indicated that he would like to bring this back up in the future to the possibility of some funding in 2024. We are trying to grow our County and if there is some opportunity to attract people back that have gone elsewhere for college, it would be worth funding. Myers said he will make a note to discuss this in the budgeting process for 2024.

**Motion:** \_\_\_\_\_ **Leiker** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Berges**

I move to adopt Resolution 23-01 to recognize Ellis County as a Rural Opportunity Zone as designated by the State of Kansas.

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

Resolution No. 23-01

**RESOLUTION OF THE BOARD OF THE ELLIS COUNTY COMMISSIONERS  
AUTHORIZING PARTICIPATION IN RURAL OPPORTUNITY ZONE STUDENT LOAN  
REPAYMENT PROGRAM CALENDAR YEAR 2023**

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

**Section 1.** Pursuant to K.S.A. 2022 Supp. 74-50,223, the Board of County Commissioners expressed its intent to participate in the Rural Opportunity Zone (ROZ) student loan repayment program.

**Section 2.** Ellis County has been designated a Rural Opportunity Zone pursuant to K.S.A. 2022 Supp. 74-50,222. As of July 1, 2022, the County population was 28,790 as certified by the Kansas Department of Revenue.

**Section 3.** Ellis County Commissioners hereby obligate Ellis County to participate in the ROZ student loan repayment program as provided by K.S.A. 2022 Supp. 74-50,223 for a period of five years, which shall be irrevocable.

**Section 4.** Ellis County agrees to pay in equal shares with the State of Kansas the outstanding student loan balance of any resident individual for five years if the resident individual meets the terms of qualification provided by the State of Kansas in K.S.A. 2022 Supp. 74-50,223, and the appropriate rules and regulations. The number of qualified resident individuals receiving such payments will be subject to the availability of funds.

**Section 5.** Ellis County intends to enter into partnerships with Cities, Employers, and Foundations for the direct sponsorship of Rural Opportunity Zone Applicants. Sponsored Applicants must meet all qualifications of the ROZ program. All sponsorships will be subject to ROZ student loan repayment rules and regulations.

**Section 6.** The maximum student loan balance for each qualified resident individual to be repaid jointly by Ellis County and the State of Kansas shall be \$15,000 over a term of five years.

**Section 7.** Ellis County shall allocate \$0.00 a year for the purpose of matching payments from the State of Kansas to qualified resident individuals. Ellis County shall revise its ROZ budget on an annual basis submitting a new Resolution to the State of Kansas by January 30<sup>th</sup> each year. Ellis County shall submit their obligation in full to the Department of Commerce before the first day of October each year.

BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

Adopted this 10<sup>th</sup> day of January 2023 by the Board of Ellis County Commissioners, Ellis County, Kansas.

BOARD OF COUNTY COMMISSIONERS OF  
OF ELLIS COUNTY, KANSAS

Neal Younger, Chair  
Nathan Leiker, Member  
Michael Berges, Member

ATTEST: Bobbi Dreiling, County Clerk

**GAAP STANDARDS RESOLUTION 23-02**

County Administrator Darin Myers asked the Commission to adopt Resolution 23-02 waiving the GAAP Standards. Kansas laws generally require local governments to prepare financial statements conforming to the GAAP standards. It is, however, acceptable to request to waive these this requirement from the Director of Accounts and Reports with the State Department of Administration. If Ellis County were to not waive these standards, the need would arise to hire additional staff to complete the increased workload. By waiving these standards, it would not have any impact on the County trying to issue any bonds, if necessary, in 2023. It is also noted by waiving these standards it does not change the level of financial transparency to the taxpayers. Ellis County has requested this same practice since approximately 2004. Staff recommends adopting the resolution requesting the Director of Accounts and Reports to waive the GAAP requirement for Ellis County and conform to the Regulatory Basis of Accounting. By waiving the GAAP Standards, it is a cost savings to the County throughout the year from having to have less staff, but also with the annual audit costs. Leiker asked if there are any counties that do not waive the GAAP. Myers said he would get back to him as he remembers from the previous County Administrator that not many counties do the GAAP but his memory was not clear.

**Motion:** \_\_\_\_\_ **Berges**      **Second:** \_\_\_\_\_ **Leiker**

I move to adopt Resolution 23-02 waiving the GAAP Standards.

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

**RESOLUTION 23-02**

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

**WHEREAS**, Ellis County is required under K.S.A. 75-1120a (a) to utilize accounting and fiscal procedures in preparation of financial statements and financial reports that conform to generally accepted accounting principles as promulgated by the Government Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA) and adopted by rules and regulations of the Director of Accounts and Reports, and

**WHEREAS**, Ellis County is permitted under K.S.A. 75-1120a (c) (1) to request the Director of Accounts and Reports to waive the requirements under K.S.A. 75-1120a (a) and the Director of Accounts and Reports shall grant the waiver to the extent requested by the governing body, and

**WHEREAS**, the Ellis County Commission has determined that financial statements and financial reports required under K.S.A. 75-1120a (a) are not relevant to the requirements of the cash-basis and budget laws of this state and are of no significant value to the County Commission or the members of the general public of the County, and

**WHEREAS**, Ellis County does not have any revenue bond ordinances or resolutions or other ordinances of the County that require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a (a) for the year ended December 31, 2023,



**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS,** a request be made to the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a (a) as they apply to Ellis County for the year ended December 31, 2023, and

**BE IT FURTHER RESOLVED** that the Board of Ellis County Commissioners shall cause the financial statements and financial reports of Ellis County to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash-basis and budget laws of the State.

Dated this 10<sup>th</sup> day of January 2023.

BOARD OF COUNTY COMMISSIONERS

Neal Younger, Chair

Nathan Leiker, Member

Michael Berges, Member

ATTEST: Bobbi Dreiling, County Clerk

#### **COUNTY ADMINISTRATOR REPORT**

County Administrator Darin Myers asked for Commission approval to pay for some memberships which include: Kansas League of Municipalities for approximately \$1,066; The National Association of Counties for approximately \$570; the Kansas Legislative Policy Group which is approximately \$7650 and the Kansas Association of Counties which is approximately \$7800. These have been memberships that the County has been part of for many years. Leiker asked if these have been budgeted for 2023. Myers indicated they were. Myers said the Northwest Planning and Development Committee is not funded at this time and has sent them an email asking them to attend a meeting in February to present to the new Commission. It was agreed that Myers should pay for these memberships.

#### **COUNTY COMMISSION REPORT**

Leiker said he looks forward to serving with the Commissioners. Berges said he is also looking forward to serving with the Commissioners, and also thanked previous Chair Butch Schlyer for his four years of service. Younger said he met with Grow Hays last week and is looking forward to continuing this good relationship with Grow Hays. He wished Brian Walker with the Sheriff's Department a happy birthday.

#### **ADJOURNMENT**

With no further business, Chair Younger adjourned the meeting at 9:05 am. The next regular meeting will be held on Tuesday, January 17, 2023 at the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 8:30 am.

BOARD OF ELLIS COUNTY COMMISSIONERS

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NEAL YOUNGER, CHAIR

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MICHAEL BERGES, COMMISSIONER

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NATHAN LEIKER, COMMISSIONER

ATTEST:

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BOBBI L DREILING  
ELLIS COUNTY CLERK