

February 7, 2022

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, February 7, 2022, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Robert “Butch” Schlyer called the meeting to order. The meeting opened with the Pledge of Allegiance. Schlyer asked Joe Leroux to come up front to get sworn in as County Commissioner District #3. Clerk Bobbi L. Dreiling gave the Oath of office to Leroux. Commissioners present: Chair Robert “Butch” Schlyer, Commissioner Joe Leroux and Commissioner Neal Younger. Also present were County Administrator Darin Myers, County Counselor Bill Jeter and County Clerk Bobbi L. Dreiling.

ORDER OF BUSINESS

There were no changes to the order of business.

EXECUTIVE SESSION

There will be one executive session.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of January 17. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

Motion: Younger Second Schlyer

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

Payment Voucher Claims

Accounts Payable dated February 8 in the amount \$517,923.98

Commerce Bank purchase card payment dated January 24 in the amount of \$92,549.40

Payroll #2 dated January 9 through January 22 in the amount \$430,469.69

Purchase Order #7645 to WSKF Architects for \$6000

Purchase Order \$7644 to Superior Emergency Response Vehicles for \$55,839.75

Tax Adjustments

Tax roll adjustment numbers 2022000032-2022000038. 2022000043. 2022000060

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

None.

INTRODUCTION OF NEW EMPLOYEES

Human Resource Coordinator Jackie Schumacher introduced the new employees:

Appraiser’s Office – Madeline Sweet, Field Appraiser 1, start date January 19, 2022

Public Works – Daniel Newell, Truck Driver, start date January 24, 2022

EMPLOYEE PROMOTIONS

Human Resource Coordinator Jackie Schumacher introduced the employees that have received promotions within the County:

Environmental Services – Kari Groff was promoted from Environmental Services Technician to Environmental Services Operations Manager.

Health Department – Amanda Hochman, was promoted from Administrative Assistant to Administrative Coordinator.

Treasury – Amanda Shannon was promoted from Tax Administrator to Deputy Treasurer; and Casey Hammond from Treasury Operations Manager to Assistant Deputy Treasurer.

NOXIOUS WEED ANNUAL REPORT AND MANAGEMENT PLAN

Noxious Weed Supervisor Gary Haas presented the annual Noxious Weed Eradication Progress report for 2021 that is required to be submitted to the Kansas Department of Agriculture (KDA) every year. This report includes a financial summary, weed survey of ten randomly selected sections within Ellis County for noxious weeds, acres of herbicide treatments, herbicide disbursement summary and an enforcement summary. Haas also presented the Ellis County Weed Control Management Plan for review. This report is also required by the KDA. Schlyer asked how the 2021 report compared to the 2020 report. Haas replied that it was pretty much the same. There were times there was problems getting the chemicals and thought it would be a problem this year as well.

Motion: _____ **Schlyer** **Second:** _____ **Younger**

I move that the Commission approve the Annual Noxious Weed Eradication Progress report for 2021 and the 2022 Management Plan.

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

2021 SOLID WASTE ANNUAL REPORT

Environmental Services Director Mason Ruder presented the 2021 highlights of the Solid Waste/Transfer Station Annual report.

EMS MEDICAL DIRECTOR

County Administrator Darin Myers is requesting the Ellis County Commission to approve the job description for the EMS Medical director and sign the pay agreement that was previously voted on and approved on November 15, 2021. It was found that there has not been a prior written agreement for the EMS Medical director pay and after consulting with the County Administrator and County Counselor, it was determined that a contract would be in the best interest of the Commission. County Counselor Bill Jeter drew up the contract that was reviewed by Dr. Grove and his attorney, and he did sign and return the contract.

Motion: _____ **Younger** **Second:** _____ **Schlyer**

1. I move to approve the job description for the EMS Medical Director as attached.
2. I move to approve and sign the EMS Medical Director pay agreement as attached.

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

EMS Medical Director

Department: Emergency Medical Services

Reports To: Ellis County Commission

Pay Grade: Contractual Position

FLSA Status: Exempt

JOB SUMMARY Under the administrative assistance of the Ellis County EMS Director, the Emergency Medical Services (EMS) Medical Director is an exempt, contracted position under

the FLSA. This position provides overall medical direction for the Service's personnel to maintain control of patient care in accordance with state rules & regulations and has authority over all clinical and patient care aspects of the EMS system in Ellis County, Kansas.

In addition, the EMS Medical Director assists with establishing appropriate medical protocols for all operational phases of the basic and advanced life support programs, the use of medications, supplies and medical equipment in cooperation with other area physicians and the EMS Director to ensure the department is utilizing proper procedures, equipment, and disposable materials.

ESSENTIAL JOB FUNCTIONS:

The Medical Director must have authority over all clinical and patient care aspects of the EMS systems including, but not limited to, the following,

1. Recommends certification, recertification, and decertification of non-physician pre-hospital personnel to the appropriate certifying agency Kansas State Board of EMS if necessary.
2. Assists with establishment, implementation, revisions and authorizes system-wide guidelines, protocols, policies and procedures for all patient care activities from dispatch through triage, treatment, and transport.
3. Reviews criteria for the level of initial emergency response.
4. Reviews criteria for determining patient destination.
5. Serve as liaison between Hays Medical Center and Ellis County EMS.
6. Establishes the procedures or protocols under which non-transport of patients may occur.
7. Reviews education and testing offered by Ellis County EMS to determine proficiency of EMS personnel.
8. Participate in an effective quality improvement program. The medical director shall have access to all relevant records needed to accomplish this task.
9. Reviews hiring standards for personnel involved in patient care.
10. Reviews standards for equipment utilized by Ellis County EMS while providing patient care.

EMS MEDICAL DIRECTOR EMPLOYMENT AGREEMENT

This Agreement made and entered into this day of _____, 2022, by and between the **Board of County Commissioners of Ellis County, Kansas**, hereinafter called "County" and **Dr. Jerod Grove**, hereinafter called "Dr. Grove".

WHEREAS, Dr. Grove carries on a general medical practice in Hays, Ellis County, Kansas, and desires on a part-time basis to serve as the Ellis County EMS Medical Director, and

WHEREAS, County operates an Emergency Medical Service and desires to hire Dr. Grove as its EMS Medical Director which is an exempt contracted position under the Fair Labor Standards Act.

In consideration of the matters described above and the mutual benefits and obligations set forth in this Agreement, the parties agree as follows:

1. **Employment.** County agrees to employ Dr. Grove and Dr. Grove agrees to accept employment as the Ellis County EMS Medical Director which is an exempt contracted position under the Fair Labor Standards Act.

2. **Salary.** County agrees to compensate Dr. Grove by payment of Eight Hundred Dollars (\$800.00) per month. Dr. Grove is entitled to and will accrue no benefits and shall be paid monthly starting the effective date of this agreement.

3. **Duties.** Dr. Grove shall during the period of this agreement observe and conform to all the laws and customs as a medical healthcare provider and specifically perform those duties as set forth in the County Job Description as attached hereto and marked Exhibit "A" and made a part hereof by reference.

4. **Term.** This Agreement shall continue until January 1, 2023, and from year to year thereafter subject to either party providing at least 60 days written notice to the other as to their intention to terminate the agreement.

5. **Contractual Relationship.** Dr. Grove is providing services hereunder as an independent contractor and nothing in this agreement shall be construed to create a joint venture, partnership and employment or any other agency relationship between the parties. Neither party shall be liable to any person by reason of any act of the other party under the terms undertaken pursuant to the terms of this agreement.

6. **Indemnification.** Neither party shall be liable for any loss or liability not caused by such party's own negligence or willful act or omission, or such other party's failure to comply with the obligations hereunder. Each party hereto agrees to indemnify and hold harmless the other from and against any and all claims, expenses, losses, and obligations arising out of such party's negligent acts or omissions to the fullest extent permitted by law, except to the extent such indemnification would preclude the party against which a claim has been made or an expense, loss or obligation has been incurred from obtaining or securing any type of insurance coverage relating to such claim, expense, loss, or obligation.

IN WITNESS WHEREOF, COUNTY has caused this Agreement to be signed and executed on its behalf by the Chairperson of its Board of County Commissioners and Dr. Grove has signed and executed this Agreement.

Board of County Commissioners of Ellis County, Kansas
By: Robert (Butch) Schlyer, Chair
Jerod Grove, M.D.

EMS ASSISTANT DIRECTOR JOB DESCRIPTION UPDATE

County Administrator Darin Myers presented the updated description for the EMS Assistant Director position. The current job description does not include any residency requirement for the position. Since this is a public safety position, it should be required that the person reside in Ellis County as they should be available for immediate response, should it be required, in the Director's absence or with any major incident requiring any or all EMS personnel.

Motion: Younger **Second:** Schlyer

I move to approve the revised job description for the EMS Assistant Director.

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

SHERIFF'S OFFICE VEHICLE PURCHASE

Sheriff Scott Brown asked for approval to purchase a used 2020 Chevy Express Transport van with approximately 10,000 miles with a transport system insert. Braun indicated the purchase of the van with an inmate transport insert, standalone HVAC system and a camera system to monitor inmates provides

a safer environment for the detention officers as well as the inmates to minimize the spread of Covid. A used van is being proposed for purchase because of the unavailability of new/used vans compounded by an unknown delivery date should one be ordered. Schlyer asked what he was going to do with the current van. Braun said it would go on the Purple Wave auction. Braun said they are still looking for a mini van but those are hard to find as well. Leroux said it was good use of the commissary and ARPA funds.

Motion: _____ **Schlyer** _____ **Second:** _____ **Leroux**
Approval of a purchase from Superior Emergency Response Vehicles of a used 2020 Chevy Express Transport Van (Approximately 10,000 miles) with an inmate transport insert. \$40,000 funded by ARPA funds, and the remaining \$15,839.75 from the Inmate Commissary Fund for a total of \$55,839.75.

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

CDBG GRANT FOR ELLIS EMS/FIRE STATION

Emergency Manager & Assistant Fire Chief Lyle Pantle asked for the approval to use county funds to begin working with WSKF Architects. Ellis County and the City of Ellis would like to establish a new building that houses all the Emergency Services apparatus from the Ellis County Fire Department, Ellis City Fire Department, and ECEMS. This building would most likely need to be placed on a new piece of land to accommodate the space needs of the building. If approved, a needs assessment will be performed, which will produce an accurate building footprint and floorplan. Included in this process will also be a narrative for utilization in the CDBG Grant Process Application. The portion of the CDBG Grant this area will target falls under the Facilities and Services category: Building. This category includes Fire Stations, Libraries, Community Centers, and Storm Shelters to name a few. The award process is based on a competitive scoring system from the application. The grant cycle is expected to follow closely to the 2021 process. Meaning a public hearing must take place no more than 120 days prior to the application submittal deadline, which should fall on the last week of October. By completing this work, it does not commit the County or City of Ellis to proceed with the project. That would happen at a later date if the CDBG grant is approved. Ellis County staff would work with City of Ellis staff in this process to ensure their needs are also met. Staff has only had preliminary discussions with the City of Ellis regarding this project as to its potential to benefit and possibilities for both organizations. The WSKF proposal to complete the initial work, if approved, would be \$6,000. If approved to proceed, future cost estimates will be given on what County portions would be to satisfy the CDBG grant, also based on grant approval. The initial \$6,000 installment would be paid out of the Administrators Contingency Fund. The estimates on the cost of the building and the number of beneficiaries served, but a 25% match would need to be funded by the County at a minimum of \$150,000 based on a minimum of a \$600,000 grant. If the project is more than \$600,000, depending on population served, the County would pay for the amount above the awarded amount. Schlyer asked if this \$6000 was just for the study. Pantle said yes but it will give us the information for a building in the future if it is not chosen. Schlyer said he is in favor of this project. Younger said he was also in favor of the project. Leroux said it was a needed item to explore. He asked about the grant writing. Pantle said that in speaking with the CDBD personnel he said they don't get a lot of items that are fire related so it might carry a little more weight to get the grant. Pantle was told to move forward.

KSFFA SPONSOR

Director of Fire and Emergency Management Darin Myers is requesting approval for the County Commission to sponsor a lunch at the 2022 KSFFA conference in Hays. The Ellis County Fire Department

(ECFD) is hosting the 2022 Kansas State Firefighters Association conference in Hays on March 31st – April 3rd. The firefighters from the ECFD Company 5 are using their private funds (not Fire District funds) to pay for the costs associated with hosting the conference. The fire department is asking the Ellis County Commission to sponsor the Friday lunch for the firefighters who attend the conference. The estimated cost of the meal is \$2,500 for about 150 firefighters. Legal counsel has reviewed the request and since the request is to further a public purpose then it would satisfy the Public Purpose Doctrine as an allowable expense. Schlyer said he does not have a problem providing the lunch for the firefighters. Leroux said we want to show them our appreciation any way we can. Younger said this is the least we can do for our firefighters.

DSNWK AGREEMENT FOR SERVICES

The agreement for services identifies the financial commitment to DSNWK and the services they can provide. A hard copy of the DSNWK audit will be available for the commission to review per the agreement. It is requested the Board of Ellis County Commissioners sign the agreement so staff can return it to DSNWK. It was agreed that the Chair will sign the agreement.

COUNTY ADMINISTRATOR REPORT

County Administrator Myers said he would update the Commission on the ongoing projects at the Public Building Commission meeting.

COUNTY COMMISSION REPORTS

Younger attended the City of Ellis meeting, the Ag meeting at the Schenk building, the annual Hays Chamber banquet, the City of Victoria meeting on the retirement home building use and the FSA meeting. The people of Catherine invited him to the Knights of Columbus meeting. Leroux thanked Younger for going to Catherine; he attended the legislature meeting at the Hays Public Library. Schlyer said he used the new system in the Treasury to pay his tags and said it was really easy to use and was very impressed by the system.

EXECUTIVE SESSION

Motion: _____ **Schlyer** **Second:** _____ **Younger**

To recess into Executive Session for 30 minutes under the following exception to the Kansas Open Meeting Act pursuant to the acquisition of real estate with the subject to be discussed during executive session potential purchase of land. Those persons to attend are Chair Butch Schlyer, Commissioner Neal Younger, Commissioner Joe Leroux, County Counselor Bill Jeter, Brendan Mackay and County Administrator Darin Myers.

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

The Executive Session started at 5:43 pm.

The Open Session resumed at 6:14 pm with no action taken.

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 6:14 pm. The next regular meeting will be held on Monday, February 14, 2022, the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 5:00 pm.

BOARD OF ELLIS COUNTY COMMISSIONERS

ROBERT "BUTCH" SCHLYER, CHAIR

NEAL YOUNGER, COMMISSIONER

JOE LEROUX, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK