

February 14, 2023

The Board of Ellis County Commissioners met in regular session at 8:30 am Tuesday, February 14, 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 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.

### **APPROVAL OF PRIOR MINUTES**

Chair Younger asked for any changes to the draft minutes of February 7. No changes were given; the draft minutes were approved as presented.

### **CONSENT AGENDA**

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

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

#### **Payment Voucher Claims**

Payroll #3 January 22-February 4 paid February 10 in the amount of \$498,249.51  
Purchase Order #7712 to Caterpillar Financial Services the amount of \$97,451.75  
Payroll deductions dated January 25 in the amount of \$219,019.01  
Freedom Claims Management dated February 8 in the amount of \$25,449.51  
Solid Waste dated February 8 in the amount of \$20,881.97  
Kansas State Treasurer for bond interest dated February 9 in the amount of \$30,550  
Cereal Malt Beverage License #2023-03 to Ellis County Fair Association  
Cereal Malt Beverage License \$2023-04 to Westside Chapter

#### **Tax Adjustments**

Tax roll adjustment number 202300000014-17

**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.

### **MONTHLY FINANCIAL REPORTS**

Commissioners had no problems with the monthly financial reports.

### **EMPLOYEE SERVICE AWARDS**

Human Resources Coordinator Jennifer Taylor presented the employee service awards. These employees were recognized for their years of service and employment with Ellis County.

#### **5 Years with Ellis County**

Mike Fields (EMS), Michael Freeman (Public Works), Jason Gerstner (Public Works), Kaiden Grieve (Public Works), Tera Hashenberger (EMS), Keian Prochaska (Sheriff), Rosa Reese (Sheriff), Vern Ruder (Treasurer), Ron Wiesner (Public Works)(Paid Per Call Fire) Bradley Deines, Tyler Giebler, Matt Lyon, Eric McQuade, JC Moos, Trevor Sherman, Grant Weber, Mason Wellbrock, Brandon Zimmerman

#### **10 Years with Ellis County**

Adam Comeau (EMS), Kevin Krause (Public Works), Pam Pfannenstiel (Deeds)

Paid Per Call Fire) Matt Grabbe, Doug Kuhn, Kody Niblock, Clayton Schneider, Kyle Zimmerman

**15 Years with Ellis County**

Daniel Dreher (Public Works), Dale Hickey (Public Works)

Paid Per Call Fire) Chris Cline, Dustin Mattheyer

**20 Years with Ellis County**

Roy Aschenbrenner (Public Works), Judy Werth (Clerk)

**25 Years with Ellis County**

Scott Braun (Sheriff), Michael Leiker (IT), Donnetta Pfeifer (Public Works), Claudine Richmeier (EMS)

Paid Per Call Fire) Dave Richardson

**40 Years with Ellis County**

Curt Hoffman (Public Works), James Yunker (Solid Waste)

**8 Year KAC Awards**

Emma Moore (EMS), Kody Niblock (EMS), Larry Rohr (Public Works), Meagan Stremel (Public Works)

**16 Year KAC Awards**

Charlie Dorzweiler (EMS), Brian Shannon (Sheriff), Brian Walker (Sheriff)

**24 Year KAC Awards**

Tim Deines (Sheriff)

**32 Year KAC Awards**

Lisa Ree (Appraiser), David Schuster (Public Works), Asher White (Sheriff)

**40 Year KAC Awards**

Curt Hoffman (Public Works), James Yunker (Solid Waste)

**44 Year KAC Awards**

Rebecca Herzog (Deeds)

**VICTORIA COMMUNITY COALITION LETTER OF SUPPORT**

Victoria Community Coalition board member Jeff Pfeifer updated the commission on the St. John's Rest Home project and also is asking the Commissioners for a letter of support to help secure different grants. He said they were moving to Phase 1 of the plan which includes housing for seniors, child care, community/senior center, Historical Society and a 2-acre park. He said Phase 1 will cost about three million dollars. The proposed funding will be \$1.35 million from the State of Kansas in grants and other funding, \$1 million from large foundation grants and \$650,000 in community donations. He is also requesting the Commission to waive the Ellis County Landfill fees once they start construction and remodeling. Leiker indicated he had no problem with waiving the fee but asked that Pfeifer get with Justin Craig on having the waste separated. Younger and Berges also indicated they had no problem with waiving the fees as long as the waste materials were separated. All three Commissioners agreed to sign the letter of support for Pfeifer.

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

I move to approve the waiver of fees dependent upon waste being separated.

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

**CITY OF ELLIS CHIP SEAL REQUEST**

Public Works Director Brendan Mackay is asking the Commission to allow Ellis County Public Works Department to supply labor and equipment to complete the City of Ellis chip seal project.

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

I move to approve the Ellis County Public Works Department to assist the City of Ellis in completing their chip seal project utilizing county labor and equipment.

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

### **VINEYARD POND PROJECT**

Public Works Director Brendan Mackay is asking the Commission to assist the city of Hays Parks Department in expanding the City's public fishing pond along Vineyard Road in the City park known as Vineyard Park. Also, before the Commission is Jeff Boyle with the City of Hays. Earlier this month City and County staff met to discuss the possibility of a joint project. The City of Hays would like to expand their public fishing pond at Vineyard Park, but they lack the necessary equipment to excavate the pond. Ellis County has the needed equipment to assist the City Staff in their construction project. If approved Ellis County would assist the City of Hays by providing labor and equipment in conjunction with labor and equipment the City of Hays will provide. The total excavation of the pond is estimated at 20,485 cubic yards based on construction with a 3:1 slope. The city staff would haul the majority of the excavated material to the new Public Works Facility as well as keeping some for their own use. This material would be used in the site preparation of the new building and for fills on County Road Projects. The City of Hays Parks Department pond expansion project has been reviewed and approved by the Kansas Division of Water Resources and the U.S. Army Corps of Engineers. Their permit is valid until July 2025 so the project can be worked into both department's schedules. No additional funds requested, all costs incurred will come out of the department's operating budget. Leiker had several questions on the process of getting bids from other contractors. Boyles did say they did get other bids but they were very high and the contractors also wanted the dirt. Leiker asked Mackay if we had the staff and time to help with this project since we have our own projects to get completed. Mackay said they had all discussed this and it would take one person and a loader for the majority of it. Leiker asked how much time it would take to be completed. Mackay estimated 17 days, but this also depends on the weather. Berges asked how easy it would be to get the permit extended if they didn't get the work done on time. Boyle said it would be easy to get it extended. Younger asked if there has been any excavation done on this before. Boyle said the location is in more a prairie setting where water typically doesn't run and he said this would conducive in digging the hole. Leiker said with the City expanding north and east he wanted to know if this pond would help with the run-off. Boyle said it would be a very small amount. Younger asked if this was through Wildlife and Parks. Boyle said this is all under Wildlife and Parks and they are excited to expand this pond for additional fish. He said this is a forever facility and can not be used for anything other any nature and fishing. Younger said this is a great idea for our kids as this will get them off their phones and do other things. Berges said he thinks it is a good project with two entities working together and the value of the dirt the County would get would offset the labor and equipment used and we have plenty of time to get this done and can work around the County schedule. Younger said the sooner we can get this done the better. Boyle said this would be an ideal time because of the drought we are experiencing. Leiker asked if any of the local contractors gave a timeline on getting it done. Boyle said they did not but this was over two years ago. He said they wanted a good price plus the dirt and it was not in the City's budget to go that route. Leiker said he wished with over two years discussion the City would have planned for the future on this and he has a hard time devoting county equipment for what should be a contractor job. Younger commented that they just agreed to help Ellis. Leiker said he is not saying this is not worthwhile but he wished it was a bigger pond and was concerned when this pond dried out what would be the next step. Boyle said they could not go larger because of the Kansas Division of Water Resources only allows 15-acre feet of storage without major water discussions.

Younger asked if they would be approached again when it goes dry and needs to be cleaned out. Boyle said no it would then be the City's problem.

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

I move to allow the Ellis County Public Works Department to assist the City of Hays Parks Department in the expansion of the public fishing pond along Vineyard Road.

**Disposition:** \_\_\_\_\_ **Motion passed by a voice vote of two to one. Leiker voted no.**

### **GRADER PURCHASE**

Public Works Director Brendan Mackay is asking the commission to approve the purchase of two road graders to replace the 2008 and 2010 CAT graders. Public Works has two road graders that need to be replaced. Staff is requesting the purchase of two new road graders and potentially trading in two older units needing repairs. It is also possible to only trade in one grader and transfer the other to the Environmental Services Department to replace their aging unit. If approved, the new units will come with full factory 7 years/8,500-hour Premier w/Travel warranty. It meets all specs required by the Road and Bridge shop foreman. The 2010 CAT 140M currently has over 11,500 hours and will need the blade welded and line bored as well as a steering sensor to repair the intermittent steering fault. The 2008 CAT 140M has over 16,500 hours and needs the articulation sensor replaced for auto straighten to function. Of these two machines staff recommends transferring the 2008 CAT 140M to the Environmental Services Department as it needs no repairs before going into service for them. It also has had transmission work whereas the 2010 CAT 140M has had no major engine or transmission repairs. Foley Equipment has these two replacement machines held for Ellis County awaiting the BOCC decision. These machines were ordered in December 2022 so they do not have the 6% price increase that came in January 2023. If the BOCC decides to wait on purchasing the replacement machines, there will be at minimum a 6% increase in cost. The outright price for the Road Graders is \$702,564.14 including documentation fees. Foley is offering a trade value of \$62,300 for the 2010 CAT 140M grader. Staff is recommending the finance option from Caterpillar, with payments over seven years of \$97,451.75 annually. The interest rate on the purchase is 5.90%. The initial payment would be paid out of the capital reserve fund. The subsequent payments would become an annually budgeted item for Public Works. Leiker asked if this kind of horsepower was needed. Mackay said there hasn't been much change in them since the 80's and 90's. Leiker asked if these came with tires. Mackay said they do. Leiker asked about the warranty. Mackay said they are very dependable and they never have to wait when something happens and they always find the parts even if something is backordered or on a national freeze. Younger asked if the unit that would go to Solid Waste was needed by the Public Works would it be available to be used. Environmental Director Justin Craig said it would be available to be used by Public Works if needed. Berges inquired about the seven-year leasing and if these would be turned back in. Mackay said that is what is planned and they would always be under warranty. He said they will supply a loaner unit if the machine would be down for an extended time. Leiker asked what they are worth at the end of 7 years. Mackay said about \$140,000. Leiker asked if this was lease-to-own. Mackay said they are lease-to-own. He said the \$97,451.75 a year payment are budgeted for the next seven years. He said the machines have gone up in price over \$100,000 in the past two years. Younger asked if Foley was coming out of Wichita. Mackay said it is Great Bend and we have three techs in Hays and it has never been an issue to get a tech here if there is a problem.

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

I move to accept the bid from Sourcewell and trade in the 2010 machine and then plan to list the 80's model from environmental at a later date.

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

**LAW ENFORCMENT CENTER HVAC CHANGE ORDER**

County Administrator Darin Myers is asking for direction on proceeding with a change order for the Law Enforcement Center HVAC project. As work has started on the replacement of the HVAC equipment at the law enforcement center, the initial focus has been to identify anything outside the base bid of the project that may need to be upgraded or replaced. Equipment for the project, included in the base bid has already been ordered. The building has two air handling units. These are a main part of the HVAC unit, and are used to regulate and move air throughout the building. One air handler in the basement is in a location that is not easily accessible for maintenance purposes, and it is also located above an area with highly sensitive evidence which is regulated by the Ellis County Coroner. Glassman personnel and county staff have inspected the 50-year-old unit and found it to be somewhat off balance, starting to rust, and potentially leaking. The base bid for the project was to clean and update the unit with a new coil to help temperate the air moving through it. Staff is requesting guidance from the commission to approve moving the unit to a mechanical room, rather than leaving it in place, creating maintenance issues, as well as damaging evidence. If the current unit is moved to the mechanical room, and then updated with a new coil, the price would be \$14,846. If the current unit is removed, and a new unit is installed, it would cost \$36,537. The cost different is the price of a new unit. Staff is recommending the unit to be moved if a new unit is purchased. With the tight location of the current unit, having to disassemble and move it, there is no guarantee it would work for any amount of time after being moved, or start to leak. The project has a total of \$76,584 in contingency, and there are no other issues that have been identified for contingency. Staff is also working on replacing the 375-gallon hot water heater for the facility. The current hot water heater is not real efficient and vents through the roof of the building. If a new gas hot water heater can be replaced, it can be vented out the side of the building where the new vents would be installed for the HVAC project at the same time. This project is outside the scope of the HVAC project and will be brought to the commission at a later date. Depending on the decision on how to proceed, the costs would be used in the contingency for the project with totals \$76,584. Leiker asked about the water heater. Myers said this was not part of the project but the idea was to run everything for a new hot water heater while they had everything torn apart. He said there are funds in the Buildings and Grounds operating budget. Leiker said the best option would be to upgrade to a new air handler for the LEC since it has that many years on it. Younger is supportive of this as new units will always run more efficient; and insofar as the water heater, he would like to see electric but with that sort of holding tank they would need to go with gas. Leiker said he agrees with changing the water heater. Younger asked in the future on these kinds of projects he would like either the electrician or HVAC people to come in and explain so the public would have that knowledge. Myers said he would ask Greg Erbert to come in and explain in the future as he is very knowledgeable on these subjects.

**Motion:** Leiker Second: Berges

I move to replace the air handler in the basement of the law enforcement center and include replacement of the hot water heater.

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

**PUBLIC WORKS FACILITY DESIGN**

Jeff Weiford with GLMV went over the conceptional drawings for the new public works building. The next step, moving to Phase 2, would be to approve a contract with GLMV for design development, contract documentation, and project bidding. With approval of the project as presented to the commission, GLMV will create a contract for the work. This contract would be brought back to the commission for approval within a couple weeks. Survey work has already been completed on the site to ensure accurate civil plans. Geotechnical engineering work at the site has also been completed and GLMV is awaiting the report. Discussion was had on some additional changes to the design. County Administrator Myers indicated they are now ready to get approval to move into Phase 2 of the project which would include design development, contract documents and bidding. Myers said it would take about 2.5 months to complete the construction documents and then be brought back before the Commission. Weiford said the bids could be back around May 23 and have those brought back to the Commission the first meeting in June. Commissioners told Myers to move forward.

**COUNTY ADMINISTRATOR REPORT**

County Administrator Darin Myers had no report.

**COUNTY COMMISSION REPORT**

Leiker had no report. Berges had no report. Younger attended the Schoenchen meeting and thanked all the volunteer firefighters, as well as the County employees.

**ADJOURNMENT**

With no further business, Chair Younger adjourned the meeting at 10:37 am. The next regular meeting with be held on Tuesday, February 21, 2023 at the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 8:30 am.

BOARD OF ELLIS COUNTY COMMISSIONERS

\_\_\_\_\_  
NEAL YOUNGER, CHAIR

\_\_\_\_\_  
MICHAEL BERGES, COMMISSIONER

\_\_\_\_\_  
NATHAN LEIKER, COMMISSIONER

ATTEST:

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BOBBI L DREILING  
ELLIS COUNTY CLERK