

May 3, 2021

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, May 3, 2021, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Robert "Butch" Schlyer called the meeting to order. Commissioners present: Chair Robert "Butch" Schlyer, Commissioner Neal Younger and Commissioner Dean F Haselhorst. 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

Item #13 will be moved to Item #6 on the agenda.

EXECUTIVE SESSION

There will be one executive session.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of April 19 and April 26, 2021. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

Motion: Younger **Second** Haselhorst

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

Payment Voucher Claims

Account payable dated May 4, 2021 for \$229,395.44

Purchase Card dated April 21, 2021 for \$54,676.15

Health Insurance payment dated April 15, 2021 for \$5,566.52

Purchase Order #7523 to Lewis Chrysler-Dodge-Jeep/Hays for \$32,780

Purchase Order #7597 to Idemia Identity & Security USA LLC for \$2,838

Purchase Order #7597 to Idemia Identity & Security USA LLC for 17,925

Purchase Order #7586 to BOS Motorsports for \$23,513

Payroll #8 April 4-17, 2021 dated April 23, 2021 for \$424,810.91

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.

MENTAL HEALTH PROCLAMATION

Executive Director of High Plains Mental Health Walt Hill presented to the Commission the Mental Health Proclamation that is requesting the Commission to make May 2021 Mental Health Awareness Month in Ellis County. Schlyer commented that mental health should be taken very seriously and proceeded to read the proclamation

KANSAS NEBRASKA NATIONAL HERITAGE AREA

Commissioner Dean Haselhorst presented Resolution No 2021-09 which opposes the National Heritage designation of the 49-county region. Schlyer asked County Counselor Jeter if this resolution will stop the National Heritage Foundation from forming a National Heritage area in which Jeter responded no. He said that this resolution only applies to this Board of County Commissioners.

Motion: Haselhorst **Second:** Younger

Approve and sign Resolution No. 2021-09.

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

Resolution No: R-2021-09

RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS

WHEREAS, Kansas Nebraska Heritage Area Partnership is pursuing a National Heritage Area designation encompassing 49 counties, (26 in Kansas, 23 in Nebraska, equaling 35,792 square miles) with a total population of 650,000;

WHEREAS, Congress has designated National Heritage Areas which encompass vast amounts of privately held land in order to highlight areas of specific interest. Citizens of this

county appreciate efforts to encourage economic development, but oppose blanket designations that put dissenting private landowners in the unreasonable position of having to “opt out” of federally mandated boundaries;

WHEREAS, the establishment of a 49-county National Heritage Area would adversely influence local officials to pass zoning laws not otherwise needed in order to accommodate a National Heritage Area Management Plan developed by the National Park Service and approved by the Secretary of the Interior, thereby altering well-established processes for land use regulation;

WHEREAS, a National Heritage Area designation invites interference in local affairs by special interest groups who claim to be stakeholders, such as the National Park Service, animal rights activists and environmental groups who do not have the historical perspective or deeply felt stewardship responsibility of owners who have worked the land over several generations;

WHEREAS, the establishment of a National Heritage Area in order to leverage federal and local matching funds based upon private property, without owner knowledge or consent, illustrates a violation of private property rights; The United States can no longer afford to borrow money to engage in endless expansion of dependency and regulation by the federal government with sunset provisions for NHAs that were never enforced, resulting in chronic dependency rather than free market activity;

WHEREAS, a fundamental interdependence exists between individual liberty and the ability to own property, the citizens of this county are very concerned that a National Heritage Area designation would deprive landowners of their ability to use and enjoy their property as they see fit.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, opposes the National Heritage designation of the 49-county region, and likewise opposes the inclusion of this county within the 49-county designation map and does not wish to confer upon an unelected regional management entity the ability to establish or influence land use policy within the boundaries of this county.

ADOPTED by the Board of County Commissioners of Ellis County, Kansas, this 3rd day of May 2021.

BOARD OF COUNTY COMMISSIONERS OF ELLIS
COUNTY, KANSAS
Robert (Butch) Schlyer, Chair
Dean F. Haselhorst
Neal Younger

Attest:
Bobbi L. Dreiling

RODEO ARENA RENTAL CONTRACT

Ellis County Fair Board Vice-President Justin Scheck requested that the Commissioners approve the Rodeo Arena Rental Contract which allows the Fair Board to rent out the rodeo arena to individuals and groups for different events throughout the year. If the renter requests the use of electricity during the rental, the contract will charge the renter for the electricity. There will be a \$150 deposit that will be returned to the renter if everything is cleaned and returned back the way it was. Schlyer thought it would be a good use of the facilities. The funds that they would get on the rental would be kept by the Fair Board and go into the General Fund. Younger questioned the time of the cleanup; Scheck replied it would be cleaned up the same day they are done with the rental. If it does not get cleaned up, the deposit would not be returned. Scheck was told to proceed with the rental.

VEHICLE REPLACEMENT PURCHASE

Ellis County Health Services Director Jason Kennedy is asking the commission to approve the purchase of a 2021 Dodge Rm 1500 SSV Crew Cab 4x4 for the replacement of the Ellis County Emergency Services' vehicle 7047 2005 Chevy Tahoe. This replacement was budgeted and planned for 2020 but due to time constraints and vehicle availability it did not happen. Sufficient funding is available in Fund 16. Kennedy asked if the 2005 Chevy Tahoe be traded in or given to another department in the County.

The commission had no problem with it being given to another department.

Motion: _____ **Younger** **Second:** _____ **Haselhorst**

Move the Ellis County Commission accept the bid from Lewis Chrysler-Dodge Jeep of Hays, Kansas in the amount of \$32,780 for a Dodge Ram 1500 SSV Crew Cap 4x4 to replace ECEMS Vehicle #7047.

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

AWARD OF KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) 2022 HIGH RICKS RURAL ROAD (HRRR) GRANT

Public Works Director Brendan MacKay discussed the KDOT grant that has been awarded for road safety and signing projects. Ellis County has been awarded a grant six times. These grants have allowed the County to update all types of road signage at no cost to the County. Kirkham Michael Engineering filed the application for this project on behalf of the County and will be overseeing all parts of the project. The engineering firm will be reviewing the pavement markings, rumble strips and signage on two intersections on Old US-40.

Motion: _____ **Younger** **Second:** _____ **Haselhorst**

Move the Ellis County Commission accept the bid from Lewis Chrysler-Dodge Jeep of Hays, Kansas in the amount of \$32,780 for a Dodge Ram 1500 SSV Crew Cap 4x4 to replace ECEMS Vehicle #7047.

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

UTV PURCHASE FOR NOXIOUS WEED AND BUILDINGS AND GROUNDS DEPARTMENTS

Weed Control Supervisor Gary Haas and Builds & Grounds Lead Facilities Maintenance Tech Greg Erbert is asking for approval to purchase a UTF for spraying and snow removal. This is a planned purchase for the Noxious Weed Department but after discussion with Erbert and the County Administrator it was decided the equipment could be better utilized if shared with Buildings and Grounds for snow removal. The specifications of the UTV fits both departments with an enclosed cab with heat and a/c, windshield wipers and turn signals. Haselhorst asked when it would be ready; Haas indicated it was scheduled to be delivered in August or September. Younger thought it was a good idea to include the heating and air conditioning.

Motion: _____ **Haselhorst** **Second:** _____ **Younger**

Move that the Ellis County Noxious Weed Department and Buildings and Grounds Department purchase a 2021 Polaris Ranger XP 1000 NorthStar from BOS Motorsports in the amount of \$23,513 with the cost to each department being \$11,756.50.

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

ELECTION BOARD WORKER PAY

Ellis County Clerk Bobbi Dreiling asked for the approval of Resolution No. 2021-08. The last time the board workers received a raise was in 2010. The rate of pay currently is \$7.25 for board workers and \$8.25 for Supervisors. Dreiling is asking for a set rate of pay of \$135 for board workers and \$160 for supervisors, per election. Supervisors would be paid mileage at the current Federal rate of mileage at the time of the election. Schlyer asked if this raise was included in the 2022 budget and that this is important to compensate the workers. Dreiling indicated this would take effect in January 2022. Haselhorst said it was a great idea. Younger indicated this would be inviting for people to step forward to be a board worker.

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

Move that Resolution 2021-08 be adopted.

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
ELLIS COUNTY, KANSAS
RESOLUTION 2021-08

A RESOLUTION PROVIDING FOR COMPENSATION FOR ELECTION BOARD WORKERS AND SUPERVISING JUDGES.

WHEREAS, K.S.A. 25-2811 provides that each judge, clerk and supervising judge shall receive compensation in an amount to be fixed by resolution of the Board of County Commissioners.

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

SECTION I:

Each election board worker shall receive compensation at the flat rate of \$135.00 per election worked.

SECTION II:

Each supervising judge shall receive compensation at the flat rate of \$160.00 per election worked.

SECTION III:

In addition to the compensation provided in Section II, each supervising judge shall receive compensation of the mileage allowance established pursuant to 75-3203(a).

SECTION IV:

The counting/audit board workers will receive compensation at \$8.00 per hour for actual hours worked per election.

BE IT FURTHER RESOLVED THAT, this resolution will take effect on January 1, 2022 and replaces Ellis County Commissioner's Resolution R-2010-3 which was enacted on February 8, 2010.

BE IT RESOLVED this 3rd day of May 2021.

BOARD OF COUNTY COMMISSIONERS
ROBERT "BUTCH" SCHLYER
DEAN F. HASELHORST
NEAL YOUNGER

ATTEST:

BOBBI L. DREILING
ELLIS COUNTY CLERK

REVIEW THE PROPOSED 2022 COUNTY BUDGETS

County Administrator Darin Myers stated to the Commission the elected officials and department heads have been working on their 2022 budget request for the County Commission. Revenues for the new county-wide sales taxes gave slightly increased, the property valuations and oil and gas revenues are expected to increase in 2021. There is an increase in the budget of \$491,000. This increase represents the Commission's request to create a dedicated levy amount of one mill for a new bridge fund of approximately \$410,000. The remaining \$81,000 accounts for the Commission's request to increase the transfer for the highway fund. Haselhorst liked the way the budgets were heading.

HEALTH INSURANCE UPDATE

County Administrator Darin Myers gave an update on the Employee Benefit Fund. He estimated costs savings from the SEHP in 2021 is still projected to be around \$600,000. These savings will stay in the Employee Benefit Fund. Currently the balance in fund is approximately \$331,788. This fund balance will change as different insurance payments are made throughout the year. However, since these funds are staying in the Ellis County bank accounts, they are also gaining interest.

COUNTY ADMINISTRATOR REPORT

County Administrator Darin Myers gave an update on the Purple Wave Auction that is ongoing. He stated that the trailer office building at the landfill is not listed as they are needing that office space until the new office is ready. This would open up another opportunity to have another auction later this year as the Clerk's office will have some items to list as well. Myers indicated that Joe Glassman with Glassman Corporation will be reaching out to each of the Commissioners to discuss the HVAC systems. Each of the Commissioners said they have been contacted by Glassman, and they have set up a meeting with him. Myers said that he and Greg Erbert have been contacted by to other agencies that are interested in the replacement of the HVAC system, but he is holding off until it is determined what is going to be needed and the funding that is going to be required. There are two documents that needed to be signed by commissioners. The first document is a document for the condemnation that needs to be started. The second document is a similar document in regard to utilities relocation. Schlyer said this won't be a problem as we need to get this done.

COUNTY COMMISSION REPORT

Haselhorst said he attended a KAC meeting last week in Topeka. They are back to having face-to-face meeting. The KAC meeting is still on for October. Younger has been doing some touring throughout the County. He still has the Appraiser's office to tour. He thanked all Ellis County employees. Schlyer talked about the road tour they went on. He said there are a lot of issues that needed to be addressed. Younger said he is going to go look at some of Glassman Corporation's projects that he has going on in Hays.

EXECUTIVE SESSION

Motion: _____ **Haselhorst** **Second:** _____ **Younger**

To recess into Executive Session for 10 minutes under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege exception with the subject to be discussed during executive session is potential lease negotiation, those persons to attend in addition to the Board of County Commissioners are County Counselor Bill Jeter, Brendan Mackay and County Administrator Darin Myers.

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

The Executive Session started at 5:55 pm

The Open Session resumed at 6:26 pm with no action taken.

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 6:26 pm. The next regular meeting will be held on Monday, May 10, 2021, 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

DEAN F HASELHORST, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK