

August 16, 2021

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, August 16, 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**

No changes to the order of business.

### **EXECUTIVE SESSION**

There will be no executive sessions.

### **APPROVAL OF PRIOR MINUTES**

Chair Schlyer asked for any changes to the draft minutes of August 9, 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**

Payroll #16 dated July 25 through August 7, 2021 in the amount of \$434,462.76

Solid Waste payment dated August 11, 2021 in the amount of \$23,695.80

Open Edge payment dated August 12, 2021 in the amount of \$695.91

Account payables dated August 16, 2021 in the amount of \$448,652.40

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

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

No persons not on the order of business.

### **MONTHLY DEPARTMENTAL REPORT**

Everything looked good as usual.

### **HISTORICAL SOCIETY UPDATE**

Ellis County Liaison Brad Ricke, Board President Pricilla Hunt, and Director Amanda Rupp for the Ellis County Historical Society discussed with the Commission what has been done, and what the immediate future plans are for the Historical Society. They have moved all the artifacts out of the Hays Daily News building and back to the 100 West 7<sup>th</sup> Street campus, disposed of digitally scanned documents, replaced the roof on the Stone Church, are planning the 50<sup>th</sup> anniversary celebration, created a 2021 Octoberfest committee, created three different satellite exhibits, created a Facebook account, and are in current negotiations to create additional satellite displays. They inquired of the Commissioners if they could set up a small display in the Administrative Building, to which all the Commissioners agreed. For future endeavors they currently have the staff and a few select board members enrolled in the Dane G. Hansen Foundation on how to learn to fundraise, work is being done on a website design, beginning stages of coordinating a project with high school students on the impact of the 2020

pandemic, and working on new material and membership campaign.

**HAYS AREA CHAMBER OF COMMERCE INSURANCE**

Hays Area Chamber of Commerce Executive Director Sara Wasinger discussed with the Commission their work with creating a health insurance plan within the Chamber. Their goal is to provide affordable health insurance options to local businesses within the different businesses in the City of Hays.

**ELLIS COUNTY COMPREHENSIVE PLAN, ZONING REGULATIONS AND FEES APPROVED**

Environmental Planning Supervisor Mason Ruder, Planning Commission Chairman David McDaniel and Marvin Planning Consultant Keith Marvin presented to the Commission the new Zoning Regulations and a Comprehensive Plan. Ruder discussed the timeline of what it took to get the guide completed which involved three years of hearings, meetings and public input. Staff and Marvin Planning Consultants feel the documents are ready for adoption and implementation. Schlyer asked if the guide addressed the agritourism; Ruder stated it did. Younger said the staff did an excellent job in getting this completed.

**RESOLUTION NO. R-2021-15**  
**RESOLUTION OF THE BOARD OF ELLIS**  
**COUNTY COMMISSIONERS**

A RESOLUTION CONCERNING THE ADOPTION BY REFERENCE OF THE ELLIS COUNTY ZONING & SUBDIVISION REGULATIONS, COMPREHENSIVE PLAN, PROCEDURAL GUIDE, AND

ZONING FEE SCHEDULE FOR ALL THE UNINCORPORATED PORTIONS OF ELLIS COUNTY, KANSAS, EXCEPT CERTAIN PORTIONS SURROUNDING THE CITIES OF ELLIS AND HAYS, KANSAS.

WHEREAS, the Ellis County Joint Planning Commission has prepared in book form the proposed Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule for all of unincorporated Ellis County, Kansas, except for certain portions surrounding the cities of Ellis and Hays, Kansas; and,

WHEREAS, the Ellis County Joint Planning Commission has conducted a public hearing on said proposed Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule for all of unincorporated Ellis County, Kansas, except for certain portions surrounding the cities of Ellis and Hays, Kansas; and,

WHEREAS, said public hearing was conducted pursuant to K.S.A. 12-741 et seq, as amended, following published notification; and,

WHEREAS, the Ellis County Joint Planning Commission has, by a majority vote of all its members, recommended that the Governing Body of Ellis County, Kansas, adopt said Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule for all of unincorporated Ellis County, Kansas, except for certain portions surrounding the cities of Ellis and Hays, Kansas, as proposed;

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

1. The proposed Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule for all of the unincorporated portion of Ellis County, Kansas, except for certain portions surrounding the cities of Ellis and Hays, Kansas, are hereby adopted pursuant to K.S.A. 12-741 et seq as amended.
2. The said Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule for all of the unincorporated portion of Ellis County, Kansas, except for certain portions surrounding the cities of Ellis and Hays, Kansas, were prepared in book form by the Ellis County Joint Planning Commission, entitled "2021 Edition", and the same is hereby declared to be approved and incorporated by reference as fully as if set out herein.
3. Not less than three (3) copies of the Ellis County Zoning & Subdivision Regulations, Comprehensive Plan, Procedural Guide, and Zoning Fee Schedule, shall be filed with the County Clerk marked "Official Copy as Incorporated by Resolution Number 2021-15 " and to which there shall be attached a published copy of this Resolution, said copies to be open for inspection and available to the public at all reasonable hours.
4. Any provision of this Resolution which shall be declared invalid shall not affect the validity and authority of any other sections.
5. Any previous resolutions or any parts of resolutions in conflict with this Resolution are hereby repealed.

BE IT FURTHER RESOLVED that this resolution will become effective upon publication in the official County newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS, ELLIS COUNTY, KANSAS, this 16th day of August, 2021.

BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS

Robert "Butch" Schlyer, Chair  
Neal Younger, Commissioner  
Dean F. Haselhorst, Commissioner

ATTEST:  
Bobbi L. Dreiling, County Clerk

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

I move to approve the adoption of the Zoning Regulations, Subdivision Regulations, Zoning Fee Schedule, Comprehensive Plan, and Procedural Guide as presented by Marvin Planning Consultants and staff.

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

#### **PUBLIC WORKS DUMP TRUCKS**

Public Works Director Brendan Mackay discussed the need to purchase two new dump trucks to replace aging machines. Staff discussed keeping one of the trucks that was to be replaced to use as an equipment hauler. This would suit the department better for moving the small equipment around than

the Lowboy Truck and trailer currently does. Doing this would extend the life of the Lowboy truck and trailer. Prices from local dealers are:

- I-70 Truck Repair 2023 Western Star 4900 for \$174,686.76 each
- Doonan Truck and Equipment 2023 Peterbilt 367 for \$207,071 each
- Bruckner's Truck Sales 2023 Mack GR64FR for \$177,333.50 each.

Staff is recommending the purchase of 2023 Western Star 4900 dump trucks. The staff is familiar with the Detroit DD13 engine on the Western Star. In addition, staff has the tools to do nearly all diagnosing which has the potential to save money on repairs in the future as they will be able to do the repairs inhouse instead of taking it to the dealership. The \$349,373.52 will come from Fund 16 in which there was \$200,000 budgeted for dump trucks, and \$200,000 for Lowboy truck and trailer. There was discussion between Haselhorst and Mackay on the prices of each dump truck. Haselhorst asked if this quote was apples-to-apples like it was done last year. Mackay indicated yes. Younger said he liked the local buy. Mackay said they have purchased Western Stars in the past from I-70 Truck Repair. Schlyer said it comes down to buying locally and saving the taxpayers money.

**Motion:** \_\_\_\_\_ **Younger**                      **Second:** \_\_\_\_\_ **Schlyer**

I move the Commission approve the purchase of two (2) new 2023 Western Star 4900 dump trucks from I-70 Truck Repair for \$349,373.52 for the Public Works Road and Bridge Department.

**Disposition:** \_\_\_\_\_ **Motion passed by a voice vote of two to one(Haselhorst voted nay).**

**2022 FINAL BUDGET DRAFT**

County Administrator Darin Myers told the Commission the final steps of the 2022 budget process is coming to an end. The final draft of the operating and capital budgets for all departments are ready for final review. Upon approval, the Commission can direct staff to publish the budget not less than ten days prior to September 13<sup>th</sup>, and schedule a public hearing on the budget for that date. The final draft includes all personnel changes, health insurance premium adjustments, and the retirement contribution program. Myers was told to proceed with the publication of the budget.

**TAX FORECLOSURE SALE**

County Counselor Bill Jeter presented to the Commission Resolution 2021-16 to direct the institution of a tax foreclosure sale regarding 17 properties showing total delinquent taxes, penalty and interest due in the amount of \$13,475.53.

**Motion:** \_\_\_\_\_ **Schlyer**                      **Second:** \_\_\_\_\_ **Younger**

I move to approve to approve the tax foreclosure Resolution 2021-16.

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

Resolution No. 2021-16

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

WHEREAS, the Board of County Commissioners of Ellis County, Kansas, by the powers vested in it by K.S.A. 19-101(a) may perform powers of local legislation, and

WHEREAS, K.S.A. 79-2801 et seq. provides for the judicial foreclosure and sale of real estate for delinquent taxes.

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

William W. Jeter as county counselor shall institute an action in the District Court of Ellis County, Kansas, in the name of the Board of County Commissioners against the owners or supposed owners of real estate and all persons having or claiming to have any interest therein which real estate has been sold and bid in by the County at delinquent tax sale and remains unredeemed on September 1 of the second year after the sale, by filing a petition with the Clerk of the District Court.

Adopted this 16<sup>th</sup> day of August, 2021, by the Board of Ellis County Commissioners, Ellis County, Kansas.

BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS

Robert (Butch) Schlyer, Chairman  
Dean F. Haselhorst, Commission  
Neal Younger, Commission

ATTEST:

Bobbi L. Dreiling, County Clerk

**COUNTY ADMINISTRATOR REPORT**

No report.

**COUNTY COMMISSION REPORT**

Younger attended a City meeting and said he appreciated the Historical Society for updating the Commission. Haselhorst will be attending a retirement reception for Norm Bowers and has a KAC meeting in Topeka to discuss the upcoming convention. Schlyer had no report.

**ADJOURNMENT**

With no further business, Chair Schlyer adjourned the meeting at 6:03 pm. The next regular meeting will be held on Tuesday, September 7, 2021, the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 5:00 pm.

BOARD OF ELLIS COUNTY COMMISSIONERS

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ROBERT "BUTCH" SCHLYER, CHAIR

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NEAL YOUNGER, COMMISSIONER

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DEAN F HASELHORST, COMMISSIONER

ATTEST:

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BOBBI L DREILING  
ELLIS COUNTY CLERK