

January 21, 2020
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners met in agenda session with, Chairman Bob Bush, Commissioner Ron Hirst and Commissioner Ron Sellers, Interim County Administrator Bill Hermes, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance and a short sectarian prayer led by Pastor Henry Blickhahn, Our Redeemer Lutheran Church.

There were no public comments or additions to the agenda. Mr. Bush gave instructions to the public on how to communicate their issues with the Commissioners.

Maintenance Director Harlen Depew met with the Board updating them on the 4+plus earthquake that happened on Sunday, January 19, 2020. He stated they were still evaluating some areas however; the elevator counterweights were repaired, some new mortar damage on the dome that had been repaired three weeks ago would be addressed today by the restoration company, and interior cracking was not really worse than the August earthquake. Other buildings didn't have damage, just a few pictures down. The Structural Engineer will be coming tomorrow to visually assess any damage. Mr. Hermes and Mr. Depew will be meeting with the insurance company to get information on earthquakes and they will have more to report next week.

Commissioner Sellers commented about the state being slow with facts of why the earthquakes are happening. He is displeased with State of Kansas for not coming up with a plan or findings to stop these from continuing. He hoped the state would take a more aggressive approach towards the cause of the earthquakes.

Commissioner Bush was contacted about injection projects and asked about who to forward the email from a citizen to at the state level.

SCS Engineers Vice President Monte Markley, P.G. who serves as National Practice Leader for water disposal, deep injection practice throughout the United States was in the audience and stepped up to the podium. He stated there are two venues you can use to express your concerns:

1) Director of the Conservation Div. with the Kansas Corporation Commission and their website for elected officials and concerned citizens to contact. Mr. Markley would email a link for the county to post on their Reno County website.

2) Kansas Department of Health and Environment (KDHE) that regulates industrial disposal wells also the Kansas Geologic Survey. He will email contact information to the commission.

Mr. Markley manages the deep injections on a national level for his firm, assisting various industries with disposal of liquids as an environmentally sound alternative. He stated that sometimes it is not the best way. Most of the research indicates the quakes are primarily focused on the oil and gas industries. He said yes, the water injection systems do create seismic activity depending on the type of wells. Fracking or injections of water were causing the quakes in his opinion, but someone would come along and dispute that claim.

Commissioner Hirst commented on the injection potential for seismic activity because those who live in the South Hutchinson area and are engaged in business noticed the quakes directly after some events that happened involving injection wells. He thought the KCC and other agencies Mr. Markley mentioned, should investigate the volume and pressure being injected daily. Mr. Markley replied that he understood the Governor was putting together a working group to investigate the seismic issues. Mr. Markley went on to say the issue has generated a lot of attention and noted that science does point to a distinct correlation between high volume-high pressure injection for seismicity.

Commissioner comments:

Commissioner Sellers welcomed two ladies from the Reno County Leadership class that were watching how government conducts business.

Commissioner Hirst stated that after speaking with Mr. Hermes regarding an email from Health Department Director Nick Baldetti, he would like to have Mr. Baldetti discuss the state support of funding.

Commissioner Bush read an announcement indicating he would not be running for a second term for Commissioner in District #3. After twelve years, eight with the City of Hutchinson and four with Reno County, he has decided to devote his attention to

family, business and his personal health. In 2015 he was diagnosed with bone cancer and up until recently it had been in remission. He went on to explain how with the testing and treatments had previously been scheduled around the commission and county so as not to cause any impact. However, future treatments with his medical issues, would be interfering and taking more time, so he will finish out his term and let the citizens elect another commissioner for his position. He stated how much he has enjoyed being a county commissioner and if his health were up to it, he would run again. It has been an excellent opportunity and he really enjoyed the county staff and elected officials stating that it has been very fulfilling.

Both members of the commission expressed their appreciation with working either at the county level or the City of Hutchinson level with Mr. Bush. Mr. Hirst said he enjoyed working with Mr. Bush and wished him well. Mr. Sellers said Mr. Bush's leadership was invaluable, keeping them on task, and was looking forward to using that leadership with the new incoming county administrator.

Mr. Sellers moved, seconded by Mr. Hirst, to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on January 24, 2020 of \$490,516.52; and also consisting of pending Added, Abated and Escaped Taxation Change Orders numbered 2019-1204, 1205, and 2020-23 through 38 as submitted. Next item was to appoint Erica Rivera to the Reno County Public transportation Commission for a 3-year term beginning February 1, 2020 and ending December 31, 2020. The motion was approved by a roll call vote of 3-0.

Mr. Bush moved, seconded by Mr. Sellers, to open the public hearing for vacating a portion of Victory Road approximately $\frac{1}{4}$ mile north of Greenfield Road as petitioned by Brandon and Kristina Harder. The motion was approved by a roll call vote of 3-0.

Public Works Director Don Brittain stated last Tuesday, January 13, 2020 was the road viewing with Commissioner Sellers and Commissioner Hirst along with Mr. Hermes. He stated the vacation would not land lock any property owners and that both owners on either side of the road indicated they were in favor of the vacation. He received no opposition to closing the road from the public. Mr. Brittain recommended approval to vacate the road.

Mr. Hirst moved, seconded by Mr. Sellers, to close the public hearing for vacating a portion of Victory road by Brandon and Kristina Harder. The motion was approved by a roll call vote of 3-0.

County Counselor Joe O'Sullivan recommended approval for resolution #2020-03. **Mr. Hirst moved, seconded by Mr. Sellers, to approve RESOLUTION 2020-03; A RESOLUTION VACATING A PORTION OF VICTORY ROAD APPROXIMATELY ¼ MILE NORTH OF GREENFIELD ROAD AS PETITIONED BY BRANDON AND KRISTINA HARDER,** and recommended by Mr. Brittain. The motion was approved by a roll call vote of 3-0. Mr. Hirst commented on the couple being born in Reno County and were now moving back from Washington DC. Mr. Sellers noted there would be a new house on a nice property in our area.

Human Resources Director Renee Harris met with the Board recommending approval for a Third-party Administration Agreement with ComplianceOne for services related to FMCSA (Federal Motor Carrier Service Administration) Clearinghouse for CDL License holders. She stated this was a two-year extension agreement and was the same company, formerly TMAC for the last fifteen-years. She stated what was new about the agreement was that FMCSA now required us to submit to and work with a new clearinghouse. Employers who have DOT drivers, RCAT bus drivers, Public Works, and Solid Waste are required to follow certain regulations and check on new hires to make sure there are no violations with their license. She said they check annually for violations, but they are now making this an online portal for the search. For the next three years a paper form will be used along with the electronic. Then after the 3-year mark it will all be electronic with enough information submitted. The information will be submitted by medical review officers concerning drug tests. Employers or any agency dealing with violations of a license would submit information back to this clearinghouse. She said in the future Reno County would probably go back to just the paper forms. The drivers have the ability to go online to the clearinghouse and register themselves and their license making sure it is valid. New employees hired are to set up an account immediately because an electronic verification or limited query is done when hired. All CDL licensed employees get a full query done annually, charging the fees to the different departments which is not more than \$5 to \$10 dollars. She said approximately 50 drivers are employed by Reno County between the various departments with Public Works being the largest. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve a Third-party Administration Agreement with ComplianceOne for services related to FMCSA (Federal Motor Carrier Service

Administration) Clearinghouse for CDL License holders as outlined by staff. The motion was approved by a roll call vote of 3-0.

Solid Waste Director of Operations Megan Davidson introduced SCS Engineer Monte Markley and Senior Project Manager, Steve Linehan, PE if needed for questions. She outlined the annual proposal for reporting and compliance activities which are required by KDHE from SCS Engineers to provide Annual Solid Waste Consulting Services for calendar year 2020 at a cost of \$91,500. The consulting covers the semi-annual ground water monitoring for KDHE following regulations. She went over each task:

Task #1 The consulting covers the semi-annual ground water monitoring for KDHE following regulations in May and November. The cost decreased for 2020 by \$6,000 for ground water monitoring to a \$42,800 lump sum.

Task #2 Was the annual permit #723, #287 and #607 renewals assistance. The permits are required every year by KDHE to operate the landfill and this is the same cost as last year, a \$7,500 lump sum.

Task #3 Is the quarterly landfill gas monitoring and reporting to keep track of the methane coming out of those wells. That cost went up \$1,000 in 2020 to a \$5,000 lump sum. She explained on Site B, the older flare on the older side of the landfill, has higher levels of methane that must be reported. Site D is staying steady from year to year.

Task #4 The Master Plan update was a \$2,000 lump sum and is usually a power point presentation made in March or April to give an overview of where they are financially from 2 up to 10 years and where they are on the expansion plans and permits. The moving of the scale house was still on schedule for 2022.

Task #5 Is the SPCC and SWPPP annual training for oil spills, stormwater controls and an observation training program for employees. \$4,200 was an estimated budget for time and materials but the reduced cost was \$2,700.

Task #6 On-call professional services had a decrease of 10 percent on the cost from 2019 to 2020 at \$30,000 estimated for time and materials. SCS does save the county money with assistance service calls.

NOTE from the January 10, 2020 agreement: "Lump sum tasks will be invoiced on a percent completion basis. Time and materials tasks will be based on the actual number of units expended during the invoice period multiplied by the corresponding rate on the attached fee schedule." **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the proposal from SCS Engineers to provide Annual Solid Waste Consulting Services for calendar year 2020 at a cost of \$91,500 as outlined by staff. The motion was approved by a roll call vote of 3-0.

Commissioner Hirst asked about end users for methane gas. Ms. Davidson replied that at this time with gas prices there is no interest from any end users. The cost to run the lines is cost prohibitive from point A to point B.

Ms. Davidson had the next item on the agenda for a proposal from SCS Engineers to provide Air Quality and Gas Collection and Control System (GCCS) services at the Solid Waste Landfill Facility for calendar year 2020 at a cost of \$150,700. This proposal covers the two burning flares and **Task #1** that was a bigger task for operations, monitoring gas and maintenance of equipment and the wells at the landfill. There was a reduction in cost from 2019 of \$108,000 to \$104,400 for 2020 with a total reduction of \$3,600. She went over the operations. Mr. Markley explained the 109 well balancing to make sure no methane gets into the atmosphere and helps the county repair any areas to keep them in compliance. There is a five-day window to fix problems around the wells and retest air quality for reporting. **Task #2** was for air quality and GCCS reporting. Next year in cell #7 additional gas wells will be installed and she said it has been four-years since cell #4 was permitted with waste. Mr. Markley said there would be about three to five wells installed next year. **Task #3** was the quarterly surface emissions monitoring. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve the proposal from SCS Engineers to provide Air Quality and Gas Collection and Control System (GCCS) series at the Solid Waste Landfill Facility for calendar year 2020 at a cost of \$150,700 as outlined by staff. The motion was approved by a roll call vote of 3-0.

Ms. Davidson explained the next item on the agenda for a proposal from SCS Engineers to provide Engineering and Planning Services at the Landfill for calendar year 2020 at a cost of \$246,900. She said this is a bigger task then in previous years.

Task #1 Annual volume compacting. She stated that compacting is very important to the landfill. To save space they ask customers to separate their loads and noted that landfill space is expensive. The cost for this task did not change from last year.

Task #2 Gas migration assessment. She said methane levels were higher around site B. SCS is working with the landfill to do an assessment and develop a plan on site A and site C, which is the old demolition site at the Landfill. The old site doesn't have records from CDM on the location of those wells, so the Landfill will have to do some boring samples to find out where the methane is coming from and what can be done. Mr. Markley stated that it may not go to the amount quoted but they looked at boring logs which had insufficient data to figure out how the gas was getting from old cells to the north property boundary, cutting it off at the source so as not to be ongoing problem.

Task #3 Site B gas collection system assessment. Site B is an old flare installed over 13-years ago and most flares have a life of 8 to 10 years to die out and are assessing other options to see where to save the county money. If it goes down, it is very costly, and they only have the five-day window to get it up and running again. One person has to manually start it to count it as operating for that day. Mr. Markley said they are checking on the possibility of connecting it to site D to stop the site B flare and making sure it has compacity with site D. He said they originally kept them as two separate flares thinking site B would just die out, but it is now time to decide how to stop site B's flare operations.

Task #4 New support facilities design plans and bid documents. She said they are currently at 100 percent on building documents and are at 60 percent for the design drawings for the new facility to review in March or April. There would be discussions on options for Mohawk Roads restructure or closure. The bid documents need to go out by fall of 2020, with construction in 2021, opening at the new scale location by 2022.

Task #5 Solid waste rate study and billing analysis. She gave a summary of the rate fees. She stated that currently they used 100 percent user fees attached to each residential or commercial property tax statements with no tipping fees. Mr. Markley gave explanation of fee structure rates for the future. Ms. Davidson noted they monitor who and what comes into the landfill. She discussed rates/fees and employee jobs at the

landfill, using one scale currently. They pay \$1 per ton of waste to KDHE for MSW and C&D, so it is important to have empty weights on vehicles. She said they have paid that amount for years. She then gave amounts of tonnage to the Landfill and how they don't currently charge for the C&D site. The Board agreed that Ms. Davidson was doing an excellent job with the Landfill.

Mr. Sellers moved, seconded by Mr. Hirst, to approve the proposal from SCS Engineers to provide Engineering and Planning Services at the landfill for calendar year 2020 at a cost of \$246,900 as outlined by staff. The motion was approved by a roll call vote of 3-0.

Patrol Captain Levi Blumanhourst with the Sheriff's Department noted that he assisted with the special enforcement load stops for vehicles going to the Landfill, making sure they had proper tie-downs or tarps. He stated they would continue those efforts.

Captain Blumanhourst met with the Board to recommend approval to purchase four (4) 2020 Ford SUV Hybrid Utility Patrol Vehicles from Midwest Ford/Rusty Eck Ford for a grand total of \$117,188 after trade-in value of \$32,000. He stated these vehicles would be used by the Patrol Officers throughout the county. One of vehicles for trade will be unit #454 used by the Senior Patrol. He explained the duties the Senior Patrol performs. After receiving the bids, the difference between the hybrid and a gasoline vehicle was \$3,115, higher for the hybrid. Automotive Director Kyle Berg informed the Sheriff's Department that in 13-months they would have saved that amount of money and have 4-years left of service and stated that the savings would be in the fuel consumption. They would cycle an older vehicle to replace the Senior Patrol car and leave the hybrids to the Patrol Officers. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve the purchase of four vehicles as outlined by Captain Blumanhourst for \$117,188 with trade-ins. The motion was approved by a roll call vote of 3-0.

Captain Blumanhourst was also present for approval for purchasing one 2020 Ford F150 Patrol Truck from Midwest Ford/Rusty Eck Ford for \$16,602 after trade-in value of \$18,500 for Sgt. Lance Smith. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve the purchase of the F150 Patrol Truck for Sgt. Smith. The motion was approved by a roll call vote of 3-0. Commissioner Hirst was in favor of this purchase because of the large trade-in value given.

Mr. Sellers moved, seconded by Mr. Hirst, to approve the purchase of two used vehicles for the Sheriff's Detective Division at a total not to exceed the cost of \$39,000 after trade-ins. The motion was approved by a roll call vote of 3-0.

Commissioner Sellers thanked Captain Blumanhourst for checking loads before entering the Landfill stating the homeowners really appreciated the help. Commissioner Hirst suggested checking with the City of Hutchinson Police Department and see if they could assist in checking vehicles before leaving the city and entering the county.

Mr. Hirst moved, seconded by Mr. Sellers, to remove item #8-i tabled on 1/14/2020 for consideration today, on the reorganization of the Board of County Commissioners. The motion was approved by a roll call vote of 3-0.

Commissioner Hirst moved, to nominate Commissioner Ron Sellers as Chairman of the Board of County Commissioners for 2020, **seconded by Mr. Bush.** The motion was approved by a roll call vote of 2-0 with Mr. Sellers abstaining.

Commissioner Sellers moved, to nominate Commissioner Bob Bush as Vice-Chairman of the Board of County Commissioners for 2020, **seconded by Mr. Hirst.** The motion was approved by a roll call vote of 2-0 with Mr. Bush abstaining. Mr. Sellers stated due to Mr. Bush's announcement today he would like to "use his knowledge" as much as possible this next year.

County Counselor Joe O'Sullivan met with the Board to recommend approval for a resolution dividing Reno County into Commissioner Districts. He stated per K.S.A. 19-204 this is required to be done once every three-years, but Mr. Meagher had instituted doing a resolution annually. He said the Commission could redistrict if they chose to; however, until after the ten-year census they don't have any new information on the allocation of the population until after the 2020 census. This resolution is a restatement of last year's resolution maintaining the districts as they currently are.

Mr. Bush asked Mr. O'Sullivan if he had any concerns or complaints about rigging districts for election purposes in different states such as dividing districts up with more republicans or democrats for voting opportunities. Mr. O'Sullivan replied he had not heard of any complaints. Mr. Bush did not think that would be a problem in Reno County since these district lines remained the same for at least the last ten-

years. Mr. O'Sullivan agreed, stating state law requires Reno County districts be as uniform and equal in population as possible, meaning number of people not voters. **Mr. Hirst moved, seconded by Mr. Sellers, to approve resolution #2020-04; A RESOLUTION AFFIRMING RENO COUNTY RESOLUTION 201-01, DIVIDING RENO COUNTY INTO COMMISSIONER DISTRICTS PURSUANT TO K.S.A. 19-204.** The motion was approved by a roll call vote of 3-0.

Emergency Management Director Adam Weishaar met with the Board to discuss a proposal from Bruce Fuerbringer, M.S., EFO of Five Bugle Training and Consulting, LLC to conduct an evaluation of fire service delivery within the county's fire districts. He stated several fire chiefs would like to remodel, expand or replace their perspective fire stations which would cost millions of dollars. He stated before some of those stations and equipment are replaced, it was important to look at the fire service across Reno County accessing the needs for the next 20 years. He wanted to show the public there was adequate and reasonable response on their calls for service and be able to maintain that over the course of what a bond would run. Five Bugle is a smaller consulting firm and he said they would be working one on one with the owner. This firm would study facilities and equipment looking at current strengths, weaknesses, opportunities and threats provide training, manpower, and attract/retain volunteers. The evaluation would be completed for a cost of \$100 an hour not to exceed \$10,000. In the agreement there is some verbiage to be changed, tightening up the scope making it a fire study, taking EMS out and just look at it. In addition, Five Bugle can create a strategic master plan based on their findings for a cost not to exceed \$2,500. He asked the commission for assistance with the fire chiefs to push them toward following that plan. Reno County would reimburse travel and lodging expenses and Mr. Fuerbringer would start as soon as approved. Mr. Weishaar sent an email out to fire chiefs and has not received any response. He stated most of the fire chiefs would not receive an outside firm coming in and looking at their operations then telling them some things that needed to be changed and noted that most handle everything internally.

After more discussion Mr. Bush summarized the discussion as evaluating the fire chiefs request for improving fire stations and spending millions of dollars without looking to see if it is the most effective and efficient model for that area. Mr. Weishaar replied that was correct. He said they are looking at three new stations and equipment replacements and trained fire volunteers.

Mr. Hirst would like to look at the study for a five-year plan with EMS. He said, "How can we be most useful to the public for response time and responsibilities to protect the citizens." He has several rural fire departments in his district for buildings and equipment. He would like to see a long-range plan for fire districts to have safety for our firemen. He was concerned with saving lives and protection of property and supported the study that could relate to volunteer fire departments.

Mr. Bush stated by bringing in the outside firm to get details and help with what is needed to save lives, look at size, work, and training with districts to get to the level they need to be. His concern was how it would be presented to fire districts but to work with the fire districts and have a positive partnership. If the consultant comes in working with that fire station addressing goals that need to be trained. We are talking about lives here and what needs to be changed to make them successful. He would support the study and strategic plan.

Mr. Sellers wanted to know where we are and what would be appropriate. He wanted to see the results of the study and was concerned about moving the district along if it needed to be. He thought there was too much of "this is the way we've always done it" out there. As the governing body we have not done a very good job so far.

Mr. Weishaar stated Five Bugle would bring a presentation to the Commission after the study was completed. Mr. Weishaar would bring this back after a new contract was received. Mr. Bush asked to get the ball rolling as soon as possible given his time restraints since he had been dealing with this issue for the last three years.

At 11:10 the meeting adjourned until 9:00 a.m. Tuesday, January 28, 2020.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date