

January 26, 2021  
Reno County Courthouse  
Hutchinson, Kansas

The Board of Reno County Commissioners held the agenda session with Chairman Ron Hirst, Commissioner Daniel Friesen, Commissioner Ron Sellers, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Senior Pastor Michael Tomson-DeGraff, Trinity Methodist Church via phone.

Commissioner Hirst read an email from Climate and Energy Project's Executive Director Dorothy Barnett. After attending the wind energy conversion system work study meeting held on January 19<sup>th</sup>, 2021, she encouraged the Commissioners to accept the drafted Wind Energy Regulations that were approved by a 5-1 vote by the Planning Commission.

There were several additions to the agenda; Added, Abated and Escaped Taxation Change Orders 2021-30 and 31 added to the consent agenda. Delete item 10 executive session from the agenda. Then added to business items: item 7F Salary Compensation Study, item 7G County Administrator's employment agreement, item 7H Commissioner Sellers request to be Ex-officio with Hutchinson Recreation Board, item 7I Commissioner Friesen asked for Ex-officio with Start Up Hutch Board, and last item 7J was to discuss public comment regarding WECS regulations.

**Mr. Sellers moved, seconded by Mr. Friesen,** to approve the Consent Agenda consisting of 6A through 6C the Accounts Payable Ledger for claims payable on January 29<sup>th</sup>, 2021 of \$505,813.49 along with CARES Act Spark monies approved of \$68,846.45 as submitted and consisting of pending Added, Abated and Escaped Taxation Change Orders numbered 2021-30 and 31. The motion was approved by a roll call vote 3-0.

County Administrator Randy Partington met with the Board to briefly explain the CDBG-CV grant and how \$120,000 could be used by qualifying small businesses until the end of 2020. After distributions, there was a balance leftover of \$11,067.14. He recommended approval for the balance of \$11,067.14 CDBG-CV Grant Fund be awarded to the applicant, Special K9 Dog Training and Country Resort, to reimburse toward qualified incurred expenses of \$21,753.48. **Mr. Friesen moved, seconded by Mr. Sellers,** to

approve the recommendation to award \$11,067.48 CDBG-CV grant funds to Special K9 Dog Training and Country Resort as presented by Mr. Partington. The motion was approved by a roll call vote of 3-0.

**Mr. Friesen moved, seconded by Mr. Sellers,** to approve based on the recommendation provided in the agenda packet, to send bids to purchase a replacement backup generator for vaccines at a cost not to exceed \$45,500 for the Health Department. Also, to authorize County Administrator Randy Partington to sign a purchase agreement with the winning bidder. The purchase would be paid from The Health Department's COVID CARES funding. The cost would include up to \$3,500 for electrical engineering services that had already been completed. The motion was approved by a roll call vote of 3-0.

Aging/RCAT Transportation Director Barbara Lilyhorn met with the Board to recommend approval to withdraw from the Transportation Alternatives Project ADA bus shelters grant received in 2017 with a county match of \$19,130. She explained it was a joint project with the City of Hutchinson Engineering Department, but it ended up not being an option, so the final cost was estimated at \$168,122. To accomplish the bus shelters the county would not use the grant money but use county funds instead. She stated to build each shelter the cost was estimated at \$5,000 and they would like to put up 11 shelters to serve the community working with the city engineer specs. **Mr. Sellers moved, seconded by Mr. Friesen,** to withdraw from the grant. Mr. Sellers then withdrew the motion after Mr. Friesen requested, asking Mrs. Lilyhorn to look into repurposing the grant money before proceeding with the motion. She said maybe KDOT would allow for funds to be used on another project, and she would return to the Board with an answer to the redistribution question.

Commissioner Hirst clarified that 15 to 18 shelters had been planned to be installed under the grant funds. Mrs. Lilyhorn replied that was correct, however eleven were to be covered under the grant after eliminating seven from the plans. They had several issues with engineering specs on right of ways.

Mrs. Lilyhorn was also available to give her update for The Aging and Transportation Department. She went over the background of Aging/RCAT through the Congressional Act where they put money aside for elderly people to ride the transit buses. She said the public then asked for transportation for their communities. Mr. Sellers requested a graph showing

ridership history, comparing last year to previous years. She stated that last year was down from COVID-19, however she believed the usual number of rides was around 120,000 a year. She spoke about the rotation schedule for the buses and continuing with the "upon request Wichita shuttle" since KDOT granted the use of a van for that route. Mr. Friesen asked Mrs. Lilyhorn to use the Communication staff to get the word out for the Wichita shuttle service from Reno County to Wichita. She said there used to be a program with KDOT called Job Jet, and she would look at that program again. He asked about the capacity use on buses, and route buses versus using a van. Mrs. Lilyhorn stated most of the bus capacities were 15 riders before COVID but currently they could have 6 riders plus the driver. She updated the Board on Aging projects and partnering with Interfaith Housing to assist the elderly with home repairs up to \$1,500, instead of moving them into a care facility. Mrs. Lilyhorn stated they provide a grocery delivery service, noting the cost to the county was \$840 last year using a retired van for the service. Mr. Sellers inquired about the elderly mill levy tax that was on everyone's tax statements. She explained the 2021 rate was .382 percent of a mill for the Department of Aging. Mr. Partington stated that rate was in the state budget form and had been the same for some time. Mrs. Lilyhorn said it had been voted on for 1 mill in 1974 beginning in 1975, however in her eleven years they had not gone over a ½ mill.

Commissioner Sellers explained the contract for the County Administrator's Employment Agreement that runs from January 1<sup>st</sup> to December 31<sup>st</sup> each year. He stated the commissioners compiled their individual reviews for the goals and expectations going over the results with Mr. Partington. They determined that Mr. Partington's performance was above expectations for the one year he was employed. The contract terms were changed on #6, and #6D, was increased by 4 percent for salary and additional compensation. **Mr. Sellers moved, seconded by Mr. Friesen,** to approve the new contract for the County Administrator of a 4 percent increase as discussed. The motion was approved by a roll call vote of 3-0. Mr. Sellers said thank you for a job well done.

Human Resources Director Renee Harris met with the Board to recommend approval for a salary compensation study from The Arnold Group (TAG) for \$56,118 with cost reduction options offered. She said the seven-person committee went over the six bid proposals choosing to present The Arnold Group. The Arnold Group came with excellent references, the lowest cost submitted from the top three bids, offering an option for services related

to unlimited maintenance, follow-up, support, and analysis. In 2015 Reno County did a salary study implemented in 2016 before then it was 2008. Mr. Hirst commented on having not just the cash salary but have somewhere in the data for the extra benefits, (i.e., insurance). Mrs. Harris spoke about using online payroll sites versus The Arnold Group providing personal service to guide you through looking at positions compared to the marketplace. The Arnold Group offered tools with a year-to-year option for a fee. Mr. Partington stated The Arnold Group did a lot of the base work giving the tools, spreadsheets, and information to keep it up to stay competitive, instead of waiting five to six years then starting at ground zero again so we can continue on our own and not rely on comp studies in the future. The Board decided by consensus to support the annual option fee. **Mr. Sellers moved, seconded by Mr. Friesen,** to approve The Arnold Group proposal for \$56,118 plus selected options and further move to have Human Resources bring back to the Board more information on the annual option contract for \$3,385 discussed today for a decision in the future. The motion was approved by a roll call vote of 3-0.

Mr. Partington presented for a second review the changes made to the Reno County Board of County Commissioners Policy on Commission Meetings from last week's meeting. He stated most of the changes were in the public comment section and went over the verbiage.

Mr. Friesen said his intent was to clarify the difference between public comment for five minutes versus the commission asking someone to come in to speak on an agenda item for more than the five minutes allotted. Mr. Partington explained the Chairman could give clarification at the determination of additions and revisions to the agenda and The Board discussed the issue of public comments. Mr. Sellers suggested moving the agenda around to accommodate the determinations to agenda before public comments. Mr. Friesen thought it helpful for the public to communicate ahead of time before the agenda meeting. He suggested giving further explanation to the public on how the comments would be handled on any agenda item.

Mr. Hirst suggested the public submit comments or requests on the Wednesday before the meeting. He spoke about going to two meetings a month with the four exceptions, stating the proposed agenda would need to be out before Thursday to let the public have time to send in comments.

Mr. Partington stated the public comment section was for items not on the agenda and for citizens to come and let their concerns be known to the commission. He could put in the policy that the commission was available to the public through emails or phone messages. If an item is on the agenda and there is no public hearing scheduled there is no requirement for the commission to allow them to speak on that issue.

The Board discussed more on comments from the public.

**Mr. Sellers moved, seconded by Mr. Friesen for discussion,** approve the document in front of us today deleting the sentence with the five-minute rule being waived for someone who has specialized information who has been requested to be at the meeting by a commissioner. Mr. Hirst clarified the motion to approve the Reno County Board of County Commissioners Policy on Commission meetings document deleting the third sentence under Public Comment as read earlier by Commissioner Sellers. Commissioners Sellers and Friesen believed the document was not complete and asked staff, Mr. O'Sullivan, and Mr. Partington, to develop some guidance to the public for comments from today's feedback.

County Counselor Joe O'Sullivan explained the rare occasions that public interest is involved where several people wish to speak. In the policy you are talking about, you are open to public comments, for instance the Wind Energy Regulations that will be presented to you shortly from the Planning Board. He explained the Planning Board process concerning the public meetings and hearings on the regulations, and after several months a copy was drafted then revised and put in a document that has been recommended to the Commission. He believed the public had ample time for their comments during that process. He urged the Board to provide structure or limitation on public comments. He said this is not a public hearing to consider the recommendations in a public meeting under the Public Hearings Act. He urged clarification and for the commissions public comments to be either the length of time per person, length of time in session, or what structure to be imposed and determined today, whether now or at a future date.

**Mr. Friesen moved, Mr. Sellers seconded,** to amend Mr. Sellers motion above to include instructing staff to continue to work on the public comment section. Mr. Sellers agreed with Mr. Friesen that better instructions on how to communicate to the commission and to the public could be beneficial for both. The motion was approved by a roll call vote of 3-0.

**Mr. Sellers moved, seconded by Mr. Friesen,** to approve the motion as amended with the deletion. The motion was approved by a roll call vote of 3-0.

At 11:05 the meeting recessed for five minutes.

The meeting reconvened with all Commissioners, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present.

Commissioner Sellers requested to be designated as Ex-Officio to the Hutchinson Recreation Commission (HRC) Board. He thought since Reno County gives funds to HRC and he presides on the Board it could be a conflict of interest. HRC created two positions, one for the City of Hutchinson and one for Reno County, for a non-voting Ex-Officio member and he would like to represent Reno County. **Mr. Friesen moved, seconded by Mr. Hirst,** to approve the Ex-Officio position to Hutchinson Recreation Commission be assigned to Mr. Sellers. The motion was approved by a roll call vote of 2-1 with Mr. Sellers abstained.

Commissioner Friesen was the Chairman of the Start Up Hutch Board of Directors and felt since Reno County was a direct funder of that Board it was not appropriate to be a member. He said there was an Ex-Officio position held by Mr. Sellers on the Start Up Board. Mr. Friesen would like to be assigned to that roll and was seeking approval to be the Reno County representative. **Mr. Sellers moved, seconded by Mr. Hirst,** to transfer the Ex-Officio position held by Mr. Sellers on the Start Up Hutch Board to Commissioner Friesen at this time. The motion was approved by a roll call vote of 2-1 with Mr. Friesen abstaining.

Mr. Friesen was seeking clarification on the Planning Board process for public comment on the Wind Energy Regulations based on discussions from last week. He understood the Planning Board made recommendations to the Commission which could in turn approve, deny, or amend. He wanted to know if more public comments would be accepted in the Commission Chambers and when.

Mr. Sellers stated he watched video tapes on public comments for Wind Energy regulations. He continues to receive emails and phone calls daily and suggested allowing pros and cons public comment at the appropriate time for each side not to exceed 30 minutes with each speaker not more than 5 minutes, with six speakers to represent from both sides.

Mr. Hirst agreed to reserve time for the public to present with a limitation of three minutes offering 30 to 45 minutes for both sides. He asked the fellow board members if they wanted to have both sides come to verbally speak in a commission setting or a work study session.

The Board by consensus was to have Planning and Zoning present to the Commission their proposed draft copy for discussion without specific public input during their work study session on February 9<sup>th</sup>. The WEC regulation discussion was to be put at the end of the agenda meeting and if needed have a recess for lunch and reconvene.

Mr. Partington requested a general consent from the Board on the Yoder/HABIT Sewer Districts for financing repairs or replacement to meet KDHE regulation standards. It was recommended to Mr. Partington and Public Works Director Don Brittain to fill out a pre-application form for the Kansas State Revolving Fund to put Reno County on the intended use list by the state by the end of this month. The project had an engineer estimated \$2.99 million dollar project that would be financed at a later date for the combined sewer districts. We intend to apply for a grant waiver for up to \$1 million to help with some of the cost. Both districts together have about 100 users. The Board agreed by consensus to have Mr. Partington put the application on the list.

Mr. Partington formally notified the Board of a letter from Reno/Kingman Joint Fire District #1 Chief Rick Graber who intended to increase stipend for his assistant chief to \$1,750, raising his current salary by \$250.00 per year. According to Resolution 2007-12 it takes a letter notifying the Fire District Governing Body. He said it is half of what Fire Chief makes now and noted that the mill levy would not be increased in that district.

Commissioner Hirst suggested to schedule a meeting in the Yoder/HABIT area for the public, and for Mr. Brittain, Mr. Partington, and the Commissioners to discuss information on the needs of the Sewer Districts.

Commissioner Friesen requested consent to be assigned as the Commission representative to the Health Officials, Mr. Partington, and Health Department on their rapid decision making, or let the Board know what is happening with the Health Department. The Board agreed by consensus to allow Mr. Friesen

to continue with the Health Department calls designating him to speak for the Commission. He appreciated all the medical partners and encouraged them to keep up the partnership for the vaccines.

Mr. Partington stated today there will be a press release setting up a POD for vaccines and sign-up registration on our website: renogov.org.

Commissioner Sellers said he was pleased with the Aging/Transportation update today. He was also very glad about the pre-registration for the vaccines over 65 with underlying health conditions. He appreciated the additional use of technology to provide information for the people watching our meetings.

Commissioner Hirst reminded the Board and the public of the work study open meeting on Saturday, January 30, 2021 at 9:00 a.m. in the Annex Conference Room to set the 2021 County Goals. This Thursday he attended the first K-96 Board meeting and gave a brief history, funding, and working with other agencies. A KAC email on the Future of Rural Health Care will be forwarded on the Board.

At 11:55 the meeting adjourned until 9:00 a.m. Tuesday, February 9th, 2021.

Approved:

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Chair, Board of Reno County Commissioners

(ATTEST)

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Reno County Clerk  
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Date