

March 10, 2020
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners met in agenda session with, Chairman Ron Sellers, Commissioner Bob Bush and Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance and a short sectarian prayer led by Pastor Ron Kyker, Countryside Baptist Church

There were no public comments.

Commissioners comments:

Commissioner Hirst wanted to set a date for the Quad County meeting. Each Commissioner looked at their calendars and decided noon on March 30th, 2020 at the Airport Steakhouse with a Quest Center presentation if they are available.

County Administrator Randy Partington explained the letter from the Kansas League of Municipalities (KLOM) regarding Senate Bill 294 which has gone to the House of Representatives Taxation Committee. Senate Bill 294 passed the Senate with a vote of 39-0 and is expected to be heard next Monday and KAC would have to hear from us by Thursday of this week with any opposition. There were several issues KAC was concerned about with Senate Bill 294. Mr. Sellers was adamantly opposed to this Bill and stated that Reno County has 83 taxing entities. Mr. Hirst liked one item KLOM had for no checks being sent over \$.01 but hold as a credit until next year's taxes. The Board asked Mr. Partington to draft a letter on behalf of the Reno County Commissioners opposing Senate Bill 294 at the hearing and if it goes to the floor of the House of Representatives.

Mr. Partington noted Megan Davidson was promoted yesterday to Solid Waste Director. Ms. Davidson has been with Reno County since 2001 and since June 2019 had been Director of Operations. Mr. Sellers remarked that she was always professional. The Board agreed with the promotion.

Mr. Bush moved, seconded by Mr. Hirst, to add a discussion presentation to the agenda for Health Director Nick Baldetti and Chief Medical Officer Dr. Rex Degner on COVID-19. The motion was approved by a roll call vote of 3-0.

Health Director Nick Baldetti stated last week he gave an overview of COVID-19 activities. They are setting up an Emergency Command Center with NIMHS protocol to try to control information on COVID-19. He stated more communication that was coming in on a weekly basis would now be ramped up, pushing updates out faster as it becomes available to news outlets and media for the most accurate and factual information. He came from a meeting at Hutchinson Regional Medical Center where plans were discussed to deal with COVID-19 when it comes to our area.

Mr. Baldetti introduced Dr. Rex Degner Chief Medical Officer for Hutchinson Regional Medical Center. Dr. Degner gave updates on the health care systems planning efforts for COVID-19 as a health care stakeholder. He said they were working closely with the Health Department conducting various planning sessions with all emergency medical personnel and facilities in the area. This morning's meeting coordinated plans for how to handle the first COVID-19 case to multiple cases in the community. Communications are coordinated through the Health Department for a unified message and emergency training is scheduled walking a mock patient through the whole process for an infection case scenario to have isolation in place. They are following closely KDHE, CDC, and the National Health recommended procedures changing our processes as needed.

Commissioner Sellers was concerned about communicating with the public. Mr. Baldetti replied the plan is to link KDHE, the home page of Reno County's website, social media and traditional media along with radio talk shows. He stated that it could be a day lag with printed media. Channel 12 will have a question and answer program on Monday at 6:00 p.m.

Commissioner Sellers asked about retirement homes. Mr. Baldetti addressed this question by stating they have reached out to the retirement homes to give them the most up to date information on COVID19 and prepare those facilities since they are the higher risk populations for mortality.

Commissioner Hirst appreciated the communication and the Board thanked them for working together. Mr. Baldetti will come each week with updates. Commissioner Sellers asked about investigation of diseases. Mr. Baldetti said they have trained

staff to do the investigations and follow up with those individuals. The Board was here to support any efforts they may need and thanked the community hospital for being prepared and doctor for coming in today.

Mr. Hirst moved, seconded by Mr. Bush, to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on March 13th, 2020 of \$233,269.51 as submitted. **Resolution 2020-07; A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 2019-20 OF RENO COUNTY, KANSAS, WHICH AUTHORIZED AND PROVIDED FOR THE CONSTRUCTION, REPAIR AND RECONSTRUCTION OF CERTAIN BRIDGES IN RENO COUNTY, KANSAS.** Next item on the consent agenda was a new application for a Cereal Malt Beverage License for Hutchinson Recreation Commission DBA Fun Valley Sports Complex to sell cereal malt beverages for consumption on premises. Last item was to declare RCAT's 2010 ADA accessible Dodge Caravan as surplus to either be sold to the City of Smith Center General Public Transportation or auctioned by PurpleWave as presented by staff. The motion was approved by a roll call vote of 3-0 with Mr. Sellers abstaining from item #6c vote.

County Administrator Randy Partington met with the Board recommending approval for a resolution. He explained resolution 2019-20 was adopted in November 2019 to authorize bonds and noted that currently temporary notes have been issued for Nickerson Blvd. and 43rd Avenue bridges and noted that they are \$1.2 million over. Public Works Director Don Brittain thought the overage should be covered with the Special Bridge Fund. This resolution allows the County Commission, when bonds are issued in 2021, to reimburse the Special Bridge Fund the overage amount if it needed.

County Counselor Joe O'Sullivan added that under Federal Law they have a 60-day window in which you must declare your intent to consider reimbursing yourselves for these expenses. By adopting this resolution at this time, you preserve the right to, when you are retiring the temporary notes that have been sold for the project for the ones totaling over six million dollars, you could issue an additional amount of General Obligation Bonds to cover that plus the overage keeping this option available to you. The proceeds from the bridge fund that the Public Works Director is going to apply, was designated for other projects. Since he does not have excess funds, if the Board elects to reimburse those funds, it would allow them to be done. Commissioner Sellers asked with the cost of financing being an all-time low, we have temporary financing in place.

Mr. Partington replied yes it was temporary and the bonds don't issue until the end of construction when you know the total cost amount. **Mr. Bush moved, seconded by Mr. Hirst, to approve resolution #2020-08; A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 2019-20 OF RENO COUNTY, KANSAS, WHICH AUTHORIZED AND PROVIDED FOR THE CONSTRUCTION, REPAIR AND RECONSTRUCTION OF CERTAIN BRIDGES IN RENO COUNTY, KANSAS** as presented by staff. The motion was approved by a roll call vote of 3-0.

Mr. O'Sullivan spoke about this twenty-year lease agreement between the owner, Reno County, of the Law Enforcement Center (LEC) building, and leasing a portion of that building to the City of Hutchinson and the Police Department. The county funded the construction of the LEC and stated that in the beginning the county offices occupied more than half of the LEC building. The city reimburses the county for their shared expenses of water, sewer, natural gas, insurance, janitorial, etc. He said over time the use of the building has changed. The Sheriff's Department moved out of the LEC into the basement of the Courthouse, and a new jail was constructed so that space was vacated also. The Police Department would like to do a major renovation to the area of the building that the Sheriff vacated and installing a new heating/HVAC system. The project could be a couple of million dollars so the City of Hutchinson would like a lease agreement instead of the mutual agreement for expenses it currently has, since this would include capital improvements. The city would control 56 percent and when you divide the remaining 24 percent between the city/county area at 12 percent, now making the City of Hutchinson controlling 68 percent of the building and Reno County 32 percent. After discussion about these major changes, the Commission decided to have a formal lease agreement and the city would pay compensation for capital expenses relative to the future use of that building. The city wanted the long commitment because of their investment in the building giving them a formal document in conjunction with their bond issue which establishes their legal right to possession of the property in connection with that bond issue. Mr. Hermes and Mr. Depew sat down with Mr. O'Sullivan to discuss the expenses that the county could expect to be reimbursed for in a twenty-year period. The city also has the option to extend the agreement another five years beyond the June 31, 2040 upon mutual agreement or to terminate. Mr. O'Sullivan explained what constitutes a capital expense. With anything over \$5,000 on a one-time basis and with routine maintenance anything less than

\$5,000 per occasion. This is using the \$5,000 limit if it is not specifically mentioned. Insurance would be the 68/32 split percentage for the building. This agreement would periodically be reviewed as noted in paragraph 9. The County building Maintenance Director and the Chief of Police will meet annually in March starting next year to discuss and resolve any issues pertaining to this agreement and identify any capital projects anticipated during the upcoming fiscal year so the funds could be budgeted. The lease also covers the west parking lot along with the connected building.

Maintenance Director Harlen Depew came to the podium to answer the Commissions questions.

Mr. Sellers asked about item #2b Capital Expenses to be allocated as follows, he did not understand the split percentage. Mr. Depew said they may have to add language for a better explanation. He explained as it pertains to the LEC, the county would pay 80 percent and the city 20 percent of a third of the cost. The other two-thirds are allocated to the courthouse which the city would not share in the cost. If there was a capital expense involving the hydronics system, it would be calculated on 1/3 of the total expense with the county paying 80 percent of the 1/3 and the city paying 20 percent of the 1/3. The majority of the LEC will be served with the new system the City of Hutchinson is installing and not the hydronic system currently shared with the courthouse.

Mr. Sellers asked about utilities and refuse shared services in item #6b. He felt the language could be worded more appropriately on the percentages to make a better document for future commissioners to understand the intent. Mr. Bush asked Mr. O'Sullivan to put the percentage (i.e. 7 percent), then in parenthesis the formula or roadmap to explain that percentage (i.e. 68 percent county with 32 percent remainder by city). Mr. O'Sullivan explained amounts and would clarify the percentage language in the document as requested by the commission. Mr. Depew said paragraph #13 makes an allowance if the percentage of use in the building changes during the agreement and so would the percentage amounts. Mr. O'Sullivan stated that the changes could be made in paragraph #9, the annual review. Mr. O'Sullivan asked if item #7b could be tabled until after item #9a. **Mr. Hirst moved, seconded by Mr. Bush,** to table this agreement with the City of Hutchinson for the LEC to the end of

the agenda as requested by Mr. O'Sullivan. The motion was approved by a roll call vote of 3-0.

Community Corrections Director Randy Regehr met with the Board to recommend approval for a Community Corrections Behavioral Health Grant application to the Kansas Department of Corrections (KDOC) to pay for services for people assigned to supervision. This is a grant that has been in place for several years focusing on services to clients that are supervised. The total amount of the grant request was for \$217,053.01 and of that \$36,500 is for our personnel inhouse to provide the inhouse groups provided to clients. The bulk of the grant goes to contractual and he then explained other expenses and grant money usage. The advisory board approved this grant application. **Mr. Bush moved, seconded by Mr. Hirst**, to approve the Behavioral Health Grant application to the KDOC to pay for services for clients assigned to supervision as outlined by Mr. Regehr. The motion was approved by a roll call vote of 3-0.

Mr. Regehr also gave a recommendation for approval for the Community Correction Adult Comprehensive Plan Grant application to the Kansas Department of Corrections (KDOC) which pays for supervision of adults in the community. The advisory board approved this grant application also. He explained the bulk of this grant was for personnel. A couple of items are larger amounts than previous years and he noted that one was for rent and another for drug testing supplies and services. Their focus is going to be on auditing and training staff. He spoke about retiring employees and replacing with new hires and issues with training. The allocation amount is based on a formula that is received in January and it is not approved until the Governor's is approved, and noting that final allocation usually is around June. **Mr. Hirst moved, seconded by Mr. Bush**, to approve the Community correction Adult Comprehensive Plan Grant application to the KDOC which pays for supervision of adults in the community as outlined by Mr. Regehr. The motion was approved by a roll call vote of 3-0.

County Planner Mark Vonachen met with the Board to recommend approval for Planning Case #2019-14 a conditional use permit request by Ferman and Karen Eash to establish a restaurant at 4918 E. Irish Creek Road. The Planning and Zoning Commission voted to approve the conditional use permit with 9 factors and 8 conditions. After Mr. Vonachen gave an overview and discussed the case in detail the Board made a motion. **Mr.**

Hirst moved, seconded by Mr. Bush, to approve the CUP request by Ferman and Karen Eash to establish a restaurant at 4918 E. Irish Creek Road with the 9 factors and 8 conditions set forth by the Planning & Zoning Commission. The motion was approved by a roll call vote of 3-0.

Public Works Director Don Brittain met with the Board to recommend approval for the Reno County Bridge Infrastructure Replacement Plan amendments. He stated this was a five-year review of Reno Counties Plan. The changes were made to resolution no. 2015-25, stating the Public Works Director would take on the responsibility of the County Engineer functions unless an Engineering Stamp is needed. Mr. Hirst asked for a definition of a minimum maintenance road. Mr. Brittain replied that a minimum maintenance road might look like a path and is maybe mowed by the Township, but a road grader does not blade. **Mr. Bush moved, seconded by Mr. Hirst,** to approve the amendments to the Reno County Bridge Infrastructure Replacement Plan. The motion was approved by a roll call vote of 3-0.

Mr. Brittain was present for the next three items on the agenda. He explained the Reno County Connecting Link Road Maintenance Policy amendments. He talked about the updated resolution no. 2015-25 County Engineers responsibility versus the Public Works Director's responsibilities. This policy states the county maintains twenty-four foot of the road surface unless the road is less footage than that next to a city or small town within the county. In the unincorporated cities within the county, public works will maintain all the road and the ditches all the time. **Mr. Hirst moved, seconded by Mr. Bush,** to approve the amendments to the Reno County Connecting Link Road Maintenance Policy amendments as discussed. The motion was approved by a roll call vote of 3-0.

Mr. Brittain was recommending approval to purchase a 2020 John Deere Track Excavator from Murphy Tractor and Equipment Company, Park City, Kansas for a cost of \$182,697.02, minus trade-in of a 2001 JCB Track Excavator at \$15,000 makes the total cost \$167,697.02. They received two bids with Murphy Tractor being the lowest, Berry Tractors bid was \$187,030. The Capital Outlay fund will be used per Public Works Equipment Plan. **Mr. Bush moved, seconded by Mr. Hirst,** to approve the purchase as presented by staff. The motion was approved by a roll call vote of 3-0.

Last item for Mr. Brittain was to recommend approval to purchase a 2020 Ford F-250 ¾ ton 4X2 crew cab pickup truck for the Public Works Department from Midwest Ford for \$26,485.00 and declare a 2001 Dodge Ram 1500 as surplus to be auctioned by Purple Wave Auction. The CIP funds for this purchase have been allocated within the Equipment Replacement Plan. **Mr. Hirst moved, seconded by Mr. Bush,** to approve the purchase of the 2020 Ford truck and declare the 2001 Dodge Ram 1500 as surplus for Purple Wave Auctions as presented by staff. The motion was approved by a roll call vote of 3-0.

Community Corrections Director Randy Regehr met with the Board for his regularly scheduled monthly meeting. He gave a brief overview of various issues not requiring action by the Board.

Mr. Bush moved, seconded by Mr. Hirst, to un-table item #7b for consideration for the Lease Agreement with the City of Hutchinson for the Law Enforcement Center tabled previously in the agenda. The motion was approved by a roll call vote of 3-0. Mr. O'Sullivan made changes to pages 2 and 3 on the percentages in the agreement in three different places to give further example of how they arrived at the split percentage. Mr. O'Sullivan asked for the Commission to sign both original copies of the agreement. Mr. Bush moved, seconded by Mr. Hirst, to approve the lease agreement as presented by Mr. O'Sullivan. The motion was approved by a roll call vote of 3-0.

Mr. Sellers asked about refinancing bonds at a lower rate. Mr. Partington will look into bond refinancing.

At 10:45 the meeting adjourned until 9:00 a.m. Tuesday, March 17, 2020.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date