

June 18, 2019  
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, County Administrator Gary Meagher, 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 Commissioner Bob Bush.

There were public comments:

Kristi Horsch, 22519 S. Kent Road, Haven, asked the Board to impose a moratorium to give time for the Planning and Zoning Board working together with the public, time to come up with rules and regulations on renewable energy, making an overlay to have proper protection in the un-zoned area as well as county wide for citizens.

Jean Conkling, 21806 S. Broadacres Road, Pretty Prairie, also supported a moratorium.

Commissioner comments:

Commissioner Bush appreciated the audience taking time to come in today and speak to us.

Commissioner Hirst noted the great turnout for Lt. Governor Rodgers Rural Listening tour that stopped in Nickerson last evening and thanked Hutchinson Community Foundation for hosting the event. He went on to address the issue from a year ago regarding the Planning and Zoning county wide overlay. The Commission at that time, wanted to wait until the Conditional Use Permit for NextEra was determined. He said there were newly recorded leases west of Yoder Road by 14 Hwy. Mr. Hirst had spoken with another county commissioner regarding their un-zoned area and learned that they had problems with roads being damaged by companies. He wanted a 9 to 10-month moratorium in place to get rules and regulations in place. He thought this would be a good time to get started giving direction to the Planning and Zoning Board on wind, solar and other items previously discussed that were not covered by state statutes.

Commissioner Bush said he did not want to micro-manage the Planning and Zoning Board, stating they have an excellent, well thought out and well-organized group of individuals that are willing to put the time and effort into looking at any issue put before them. He was not in support of a moratorium but wanted to give the Planning Board the power and authority to set their own agenda coming up with rules and regulations that the public and Commission could support, so he wanted to let them move forward without interference from the County Commission.

Commissioner Hirst still would like to help the Planning Board with directives to come up with an overlay.

Commissioner Sellers commented that prior to taking office on the County Commission Board, he felt the Board decided correctly last year when they did not vote for a moratorium and stated that he would have voted against it also. He agreed with Mr. Bush's comments. He felt the rejection last Thursday of the NextEra wind energy proposal was one of three of the biggest negative factors toward the Reno County Economic Development made in the last 70 years. The other two items that hurt Reno County; (1) one was a rejection in the 60's by a Reno County citizen that was on the KDOT Board who believed Reno County would be best served by not being on an interstate highway. He stated you could look around and see the other towns that are on the interstate system and how it hurt us greatly by not being one of them. (2) second, was when urban renewal was proposed and it was put to a vote from Hutchinson citizens at that time and they voted not to except urban renewal for the downtown area when other communities were taking the Federal assistance and look what happened to our downtown compared to other cities with growth and prosperity. He felt strongly that the vote taken Thursday, in his opinion, was the third to hurt us. NextEra tried to make concessions along the way and tried to make it work for Reno County. He was not interested in a moratorium at this time.

There were no additions to the agenda.

**Mr. Sellers moved, seconded by Mr. Hirst,** to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on June 21st, 2019 of \$959,232.19 as submitted. Next on the consent agenda was a renewal application for a Cereal Malt Beverage License for O'Brien's Marina for Off Premises Sales and a new application for a Cereal Malt Beverage License for O'Brien's Marina for On Premises Sales.

The motion was approved by a roll call vote of 3-0 for item 6a, the motion for 6b and 6c were 2-1 with Commissioner Bush abstaining because his business stood to gain from the vote.

Commissioner Bush offered his thanks and presented a retirement certificate of gratitude to Armando Fierro Martinez for 30 years plus of service in the Maintenance Department. Maintenance Director Harlen Depew added his thanks and appreciation for so many years of service stating what a valuable part of his department Armando was. He said there was not another human being on the planet that knew the ins and outs of the courthouse and LEC like Armando. They wished him well and invited the public to his retirement party Friday, June 21, Annex Conference Room from 2:00 pm to 4:00 pm.

Melissa Romme with Adams, Brown, Beran & Ball Chartered, presented the Board with the 2018 Audit Report. She introduced Jami Benacke who went over the Governance Letter which stated Reno County had no areas of concern and was following policy and procedures for compliance. Ms. Romme went over a few items from the audit thanking Reno County Departments and Staff for their continued helpfulness and another great audit. Mr. Sellers complimented the Internal Auditor Leslie Roederer for her assistance with the audit. **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the 2018 Audit Report from Adams, Brown, Beran & Ball Chartered as outlined. The motion was approved by a roll call vote of 3-0.

County Counselor Joe O'Sullivan gave explanation of resolution **#2019-08; A RESOLUTION DETERMINING THE VALIDITY OF PROTEST PETITIONS SUBMITTED TO THE RENO COUNTY CLERK PURSUANT TO K.S.A. 12-757 PROTESTING THE CONDITIONAL USE PERMIT APPLICATION FILED BY PRETTY PRAIRIE WIND, LLC, RENO COUNTY PLANNING CASE NO. 2019-01.** He stated the resolution was journalizing the decision made last week by the Commission on the reason and process for the protest petition that needed 20 percent to meet the standard. The Reno County Consultant Mr. Ewy's reports were attached that stated with valid signatures equaling 46 percent, which was over the 20 percent required to force the three-member Board to a unanimous vote. Mr. O'Sullivan recommended adoption of the resolution. **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the resolution as outlined by Mr. O'Sullivan. The motion was approved by a roll call vote of 3-0.

Brenda Maxey, 10 E. 1<sup>st</sup> Avenue, TECH Training and Evaluation Center of Hutchinson, Inc. met with the Board to discuss a mill levy request for FY2020. The Board had a large discussion on

the \$60,000 awarded for children, with Mr. Meagher giving an overview for last year. Ms. Maxey stated they would use the money to expand services to special needs children and families from 2 years to 21 years old.

Mr. Depew was also present for his regularly scheduled meeting. He discussed various current issues not requiring action by the Board.

At 10:25 the meeting adjourned until 9:00 a.m. Tuesday, June 25, 2019.

Approved:

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Chair, Board of Reno County Commissioners

(ATTEST)

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Reno County Clerk  
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Date