

July 16, 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 Hirst.

There were no public or commissioners' comments.

Commissioner Hirst complimented Travis and Jeremy at the EMT Arlington Station for their professionalism and thoroughness.

County Administrator Gary Meagher noted there would not be an agenda meeting on July 23rd, 2019, however the Board would reconvene on July 30th in regular agenda session.

There was one added item to the agenda: executive session for non-elected personnel with no action required.

Mr. Hirst moved, seconded by Mr. Sellers, to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on July 19th, 2019 of \$349,875.09 also consisting of pending Added, Abated and Escaped Taxation Change Orders numbered 2019-229, 334 through 399 as submitted. Last item on consent agenda was for a resolution **2019-10; A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A 199-FOOT TALL TELECOMMUNICATION TOWER ON A PARCEL LOCATED IN THE SOUTHWEST QUARTER AND SOUGHEAST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 4 WEST OF THE 6TH P.M. IN RENO COUNTY, KANSAS.** A request by Ronald and Ruth Gorges (Applicant: KGI, Wireless, Inc.) with the tower located at 9410 E. Boundary Road. The motion was approved by a roll call vote of 3-0.

Health Department Director Nick Baldetti met with the Board to talk about the Kansas Department of Health and Environment (KDHE) Memorandum of Understanding required to be signed by all municipalities before aerial mosquito spraying could take place.

The treatment area covers 53,091 acres. Abbyville had not signed yet and South Hutchinson opted out of spraying. A public

announcement would be drafted for release offering steps to take in case the public was concerned about covering ponds when spraying for mosquitoes. Thursday evening is the anticipated spraying date with the time to be determined later today. The Ever-bridge software will put out the word in the select areas notifying people when spraying will be taking place. Mr. Meagher stated that if citizens had not signed up with Ever-bridge they could do so on the Reno County website, renogov.org, for any type of emergency messages. The spraying for all municipalities will be the same date and time and may start about 9 p.m. to 2 a.m.

Commissioner Hirst questioned Mr. Baldetti regarding spraying in the Pretty Prairie area because of the rodeo. Mr. Baldetti said Pretty Prairie and KDHE were already in discussions on spraying. The Board discussed the mosquito counts and if testing found any mosquitoes with West Nile. Commissioner Sellers wanted to talk with Senator Berger about expediting the test results for the public information. **Mr. Hirst moved, seconded by Mr. Sellers**, to approve the MOU with KDHE for aerial mosquito spraying as discussed by staff and requesting the Chairman's signature. The motion was approved by a roll call vote of 3-0.

Mr. Baldetti gave explanation for the Environmental Health Engineer Evaluation Policy recommending approval to move forward with the engineering proposal and sites, but not approval for language at this time. The Board discussed with Mr. Baldetti and Health Department Environmental Health Supervisor Darcy Bayse about when to use an engineer review for the new wastewater systems, lagoons and the percentage of cost sharing. Mrs. Bayse said they do not have a state engineer anymore and will use Sid Arpin with BG Consultants. Commissioner Bush inquired about the quarterly meeting. Mrs. Bayse replied a few of the contractors and Health Department staff would like to meet quarterly to exchange information and concerns. Currently no meetings are taking place but they do have an annual class. Commissioner Sellers questioned the timeline from application to end. Mrs. Bayse replied that if the checklist was followed it would shorten the time and there is a fast track on the application where it goes straight to an engineer for review then comes to the Health Department. Commissioner Sellers asked about how much time will be saved with this new process. Mrs. Bayse said she would guess about 30 to 60 days depending on if an engineer is involved. Commissioner Sellers was looking for a user-friendly process and he would like to see a faster time, like 6 to 8 weeks for approval. Commissioner Hirst agreed with

the shorter time frame and asked why an engineer was needed for calculations. Mrs. Bayse stated that it saves liability if the calculation was figured incorrectly and if the volumes are done correctly, it could be put on the website. Mr. Baldetti said on lagoons it can be spot checked from the website using the spreadsheet tool.

Rick Kirkpatrick with Infiltrator Water Technologies is a manufacturing company based out of Connecticut. He gave a brief history of his company and had suggestions to streamline the process for approving designs and products. He felt the design and product review should not be on the same application but separate documents not together. In his opinion use a simple application because the current process asks for an excessive amount of information to review the product. He mentioned a second suggestion on timely approvals on products and to have an option of going straight to an engineer review. He had handouts for EZ Flow products installed in other counties and states and he stated that KDHE would not do product reviews. Mr. Kirkpatrick thought there was a simpler process out there that won't cost us or the county a lot of money if you ask other counties their process, don't reinvent the wheel.

Dustin Ketchum, 205 Kisiwa Parkway, Hutchinson Territory Manager for Advantage Drainage Systems. He reviewed the package and thought 70 percent cost share was a large percentage for the manufacturers who come in with a product. He was wondering what the cost was to do business in Reno County. He said his company followed all the steps and had an engineer review for products. Mr. Ketchum then spoke about the state and county level across the nation relying on their professional network to vet a new product to see if a product was the best solution. He discussed the language Mr. Baldetti was willing to work on and said there should be language to protect approval of manufacture products to ensure there is no bias in the future. They have had a lateral solution submitted three years ago to the Health Department because there is a problem with sand infiltration in the chamber systems in the county. The last correspondence was in September 10, 2018 and he stated that they had three final questions before going to an engineering review and stated that his company responded by 9/12/ 2018. He asked if the manufacturers that were paying the 70-percent would expect quick results not the 9 to 10 months. He also asked are they going to have to start over or wait another 30 to 45 days and questioned what direction Reno County would be going in this process. He was concerned with language being put in the policy.

Commissioner Sellers asked if Mr. Ketchum felt there had been bias on products in Reno County in the past. Mr. Ketchum replied there was a potential but when you ask a manufacture to pay for a review process it could happen, and they would want to eliminate any bias. Mr. Kirkpatrick came back to the podium and said GEO Flow pipe in the past had been looking for approval and never received it. He said he would like language in place to avoid not having a fair playing field.

Commissioner Bush commented that the committee should be talking and communicating these issues quarterly with staff to make a living document in the process for all to use.

Ron Vincent, Carl Vincent Services, stated that the committee meets quarterly with contractors and if you weren't getting results then you have the option to return to the Commissioners. He was concerned about language being straightened out, the cost, and using a consultant. He suggested community meetings not contractors' meetings and that no decisions could be made, using industry people and not taking up Health Department staff's time.

Commissioner Sellers asked Mr. Vincent to explain the difference between the contractors meeting and the community. Mr. Vincent replied the community would have more to say and contractors are told what they can do. Changes could be made by the committee and vote in the committee like the Zoning Commission and meet maybe four times a year.

Bob Hickman, member of the Health Department Advisory Board, gave a brief history of the code process that was in place. The Sanitation Code addressed Reno County issues with new systems and situations. If you are going to set up a review process, make sure you have qualified people sitting on the board. He suggested a simple process was best and previews would be great.

Mr. Baldetti commented that he would stand with staff recommendation for formalizing groups and noted that behind the scenes can be more administration intense. The information going back and forth does take awhile and he was unfamiliar with some of the comments stated today so he would go back and do some research.

Commissioner Hirst commented on better communication and work on making the process easier along with faster.

Commissioner Bush wanted to make it right first and then start the process instead of just moving forward.

Commissioner Sellers commented there were really two issues; one for acceptance of a certain type of product and the second is how to use that product in a home and we need to separate those two issues. **Mr. Sellers moved, seconded by Mr. Hirst**, to table until more information is received. Staff is going to continue working with the industry representatives to come up with a plan of action to move forward. Consider putting together a committee or an open industry meeting quarterly and having the groups decide which one. The Board asked Mr. Baldetti to report back in three weeks. The motion was approved with a roll call vote of 3-0.

Mr. Sellers moved, seconded Mr. Hirst, to designate Ron Hirst as the voting delegate and Bob Bush as the alternate for the KAC annual meeting to be held November 12 through 14, 2019 in Wichita, Kansas. The motion was approved with a roll call vote of 3-0.

County Planner and Flood Plain Administrator Mark Vonachen gave a presentation of the revision to the flood map. He stated the current map was adopted on January 6, 2010, and the reason for the updated map was because of the recent certification of the levy system for the City of Hutchinson. Red areas on the map are going to be added, yellow stays in the flood plain, and green will be removed from the map, and stated that Nickerson was greatly affected with the changes. April 10, 2018 open house invited property owners from the two water sheds affected by the map, giving them the opportunity to discuss any issues and have questions answered. On July 2nd changes were made to the map after the open house. Then on July 9th, a public notice was published stating they were in the 90-day protest period. The next step was to have that resident file an appeal through Mr. Vonachens' Office and he then makes a recommendation to FEMA. FEMA looks at all the documentation to decide if the appeal is approved or rejected. He said when submitting to FEMA you need to submit technical, scientific engineering data or data from a surveyor. FEMA will not take verbal information to make a change. He discussed the Letter of Map (LOM) changes, and the Letter of Final Determination (LFD) and said by next summer he hopes to have a new map and resolution for approval.

Commissioner Sellers had three questions;

1) South Hutchinson added a large area. Mr. Vonachen replied that the added area was due to ponding or rainwater pooling near the levy that had no-where to go.

2) Southeast of Hutchinson, part of Cow Creek. Mr. Vonachen stated that the City of Hutchinson is doing a further study on whether they may be able to straighten the channel. It is Cow Creeks issue for drainage, and he stated it is a one percent flood hazard.

3) Removing Nickerson from the flood plain. Mr. Vonachen stated that Nickerson residents were pleased to be removed for ease of selling and not making buyers purchase flood insurance. The contractor at the state may look at this because of the recent flooding event in Nickerson. He stated they map the 1 percent chance of flooding.

Technology with this digital map is much better than the current paper maps with information.

Commissioner Hirst asked about South Hutchinson. Mr. Vonachen stated that South Hutchinson is working on a project with the state to get rid of excess water and minimize the water in the future.

Mr. Meagher gave a presentation on the 2020 Budget Summary for the County and Special Districts thanking staff for help in putting it together. Commissioner Bush acknowledged the good job Mr. Meagher had done to keep the mill levy at 41.687.

At 11:10 the meeting recessed for five minutes.

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

At 11:15 **Mr. Hirst moved, seconded by Mr. Sellers**, to go into executive session for thirty minutes to discuss non-elected personnel with no formal action to be taken and Mr. Meagher was requested to be present. The motion was approved with a roll call vote of 3-0. Commissioner Sellers left the meeting early at 11:38 a.m.

At 11:42 the meeting adjourned until 9:00 a.m. Tuesday, July 30, 2019.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date