

July 27, 2021
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners held the agenda session with Chairman Ron Hirst, Commissioner Daniel Friesen and 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 Commissioner Friesen.

Commissioner Hirst wanted to thank the 4H kids at the Livestock Sale and the local businesses who supported the 4H programs and the Livestock sale.

Brock Wells, 202 W. Avenue B was concerned with the Board initiating a mask mandate versus personal responsibility for avoiding COVID-19 by being vaccinated. He briefly spoke about lockdowns and keeping children in school.

Commissioner Hirst made a motion to amend the business agenda, item 7C, for discussion of the industrial wind energy conversion system regulations or items excluded from wind energy that had been tabled previously, and adding it to the August 31st, 2021, agenda. The motion was not seconded.

County Administrator Randy Partington requested adding to the agenda an update on COVID-19 from Health Department Director Karla Nichols. He asked to move business item 7B to 7C replacing 7B with her report. **Mr. Sellers moved, seconded by Mr. Friesen,** to approve adding the Health Department COVID-19 update to agenda item 7B, moving 7B to 7C. The motion was approved by a roll call vote of 3-0.

Mr. Sellers moved, seconded by Mr. Friesen, to approve the Consent Agenda consisting of items 6A and 6I which consisted of the Accounts Payable Ledger for claims payable on July 23rd totaling \$1,404,785.99 and July 30th, 2021, totaling \$702,728.42, change orders 2021-456 as submitted and authorize the Chairman to sign Minutes of Meetings for June 22nd, 29th and July 6th, 7th, and 13th, 2021. Including adjustments for Community Corrections: FY2011 Kansas Department of Corrections (KDOC) Adult Grant Budget Adjustment, FY2021 KDOC Adult Grant Year-end Line-item Budget, FY2022 KDOC Adult Carryover Reimbursement Budget, FY2022 KDOC Juvenile Carryover

reimbursement Budget. Two contracts with King Construction Co., Inc. for the construction of Arlington Road Bridge 17.55 for \$1,117,096.95 with a cost share of 50/50 with the Kansas Department of Transportation (KDOT), making the county's cost approximately \$558,548.48, and one for the construction of Arlington Road Bridge 26.25 for \$820,054.50 with the Kansas Local Bridge Improvement Agreement paying \$200,000, making the county's cost approximately \$620,054.50 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 to recommend approval for Community Corrections Year-End Grant Goals Outcomes Report. He spoke about last year's success rates being not quite up to the states 75 percent, compared to his at 74.5 percent. He said one of the challenges was the drug testing. **Mr. Sellers moved, seconded by Mr. Friesen**, to approve Year-End Grant Goals Outcomes Report as presented by Mr. Regehr. The motion was approved by a roll call vote of 3-0.

Health Department Director Karla Nichols gave a COVID-19 response plan update stating that the dashboard updates are now daily. Mrs. Nichols gave a presentation that followed a three-item response plan; vaccination, testing, and precautions, and explained the color-coded alerts from KDHE. Mr. Friesen was very concerned there was too much focus on case counts and requested the alert level plan policies be on the agenda for review and approval by the Commission, acting as the Reno County Board of Health. The Board agreed to review the policies in two weeks. Mr. Hirst spoke about the guideline limits on outdoor school sports events, and stated he was in favor of reviewing the guidelines. Mrs. Nichols said that the Health Department was following the KDHE guidance on alerts, and that the outdoor events were up to the schools. Mr. Friesen disagreed, then gave a scenario of a possible phone conversation between a parent, school officials and Health Department staff with each saying it was the others decision. Mr. Sellers said he agreed with Mr. Friesen about people getting vaccinations. Mr. Sellers then requested Mr. Friesen working with staff, draft a document and bring it back for the Board to vote on how they will proceed in the future.

County Administrator Randy Partington reviewed a memo about last week's request to have staff to come up with alternatives to South Hutchinson's request that Reno County pay 50 percent of their \$700,000 proposed cost for the Scott Blvd. bridge replacement. The following staff members attended a meeting to work on an alternative: South Hutchinson Administrator Joseph

Turner, South Hutchinson Mayor Matt Nisly, a South Hutchinson Council member, Reno County Commissioner Ron Hirst, Public Works Director Don Brittain, and County Counselor Joseph O'Sullivan. Reno County could not use budgeted funds meant for use on county property for the city's bridge; however, Mr. Brittain was more than willing to work with an engineer by having them inspect the bridge and give a cost estimate for either repair or replacement. A report would be given to the mayor of South Hutchinson and Chairman Hirst to decide where to go from there. The South Hutchinson staff was willing to work with Public Works regarding the heavy truck traffic traveling on Avenue F while they repair water lines on the north side.

Commissioner Sellers stated the staff had done a great job with finding an alternative and he appreciated the Chairman clarifying Reno County's position and was proud of the county for helping to mitigate the cost with an engineer and potentially saving South Hutchinson money, since Reno County could not pay money toward a bridge that was not a connecting link.

Commissioner Hirst thanked Mr. Brittain for his extensive research and staff for working on this issue.

Commissioner Friesen spoke about partnerships in working with smaller cities. He felt Reno County could do better with our handling process and communication.

Mr. Partington also thanked Mr. Brittain for his research and mentioned that Mr. Brittain had tried two years earlier to assist South Hutchinson with this project and failed because the council at that time did not follow through.

Mr. Hirst moved that the request from the City of South Hutchinson for the County to pay for a portion of the cost of repairing or replacing the Scott Blvd. Bridge be denied for the reason that the County has no legal authority to use Road and Bridge Funds or General Fund Revenue for that purpose. Further, he moved that the County Administrator and the County Public Works Director explore what means other than direct cash assistance is available to the county to assist the city in reducing the cost of repairing or replacing the bridge, including inspecting the bridge for potential rehabilitation and repair, obtaining a cost estimate from a qualified engineer, and to report their findings and conclusions, to the Mayor of South Hutchinson, **Mr. Sellers seconded the motion.**

Commissioner Friesen asked for clarification on statutes for funds. Mr. O'Sullivan explained money levied and what it could be spent on using K.S.A. 68-500-101, K.S.A. 68-559a, and K.S.A. 68-1135 which was specific in that matter and how it could be spent on funding county roads and bridges, county road maintenance, and also connecting township roads.

Mr. Sellers called for the question; **Mr. Hirst seconded**. The motion was approved by a roll call vote of 2-1 with Mr. Friesen opposed.

Mr. Hirst moved, seconded by Mr. Sellers, to approve the motion as stated previously. The motion was approved by a roll call vote of 3-0.

Deputy County Clerk Jenna Fager addressed the Board on the consideration of adopting a resolution dividing Reno County into Five Commissioner Districts. IT/GIS staff constructed three different commission district maps which were accompanied by a corresponding resolution that outlined the precinct/townships that would be in each district if the five-member board was approved.

The Commissioners discussed the proposed maps 5, 6 and 7, comparing them to the current map. The discussion leaned toward map six. **Mr. Sellers moved, seconded by Mr. Friesen**, to approve the resolution that corresponds with the design of map six, resolution #2021-14; **A RESOLUTION DIVIDING RENO COUNTY INTO FIVE COMMISSIONER DISTRICTS PURSUANT TO K.S.A. 19-204**. Mr. Sellers pointed out that the Commissioners did not create the mapping districts. The maps came from IT with the assistance of Mrs. Fager.

County Counselor Joe O'Sullivan stated they were composed of the voting precincts that was the most important part of the maps and resolution. The actual technical application was in the resolution, the territory on the maps was a good representation of the precincts, townships, and ward. The motion was approved by a roll call vote of 3-0.

Mrs. Fager was also present for the review and consideration of adopting a Resolution Calling for an Election pursuant to K.S.A. 19-204 on the Question of a change in the number of County Commission Districts. She briefly explained the resolution was calling for the election and had the wording on the ballot for the November election. Mr. Sellers added another reason why five is better than three mentioning the

experience with the priority budget process Mr. Partington had. **Mr. Sellers moved, seconded by Mr. Friesen,** to approve resolution #2021-15; **A RESOLUTION CALLING FOR AN ELECTION PURSUANT TO K.S.A. 19-204 ON THE QUESTION OF A CHANGE IN THE NUMBER OF COUNTY COMMISSIONER DISTRICTS.**

Commissioner Friesen had comments from the public concerning the timing of the appointment or election of the two new commissioners to the Board.

Mr. O'Sullivan explained the process of electing or nominating the new commissioners, if approved.

County Clerk Donna Patton spoke about a special election in Leavenworth County that was held in March or April and the process they had taken.

There was a large debate on statutes pertaining to expanding and when the new commissioners would take office and the resolution process. Mr. Friesen requested clarification on a quorum.

Mr. O'Sullivan clarified that the proposed Resolution would state in the event the voters approved expanding the Board from three to five members at the 2021 General Election, the Board will recommend to the Governor that the newly created Board positions should be submitted to the voters at the 2022 General Election as provided by K.S.A. 19-203a.

At 10:40 the meeting recessed for ten minutes for Mrs. Fager to contact the Secretary of State's Office regarding some questions on the election or selection of the two new members of the commission.

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

Mr. Sellers made a motion to call for the question, **seconded by Mr. Hirst.** The motion was approved by a roll call vote of 2-1 with Mr. Friesen opposed.

Mr. Sellers previously made a motion, seconded by Mr. Friesen, to adopt a resolution Calling for an Election pursuant to K.S.A. 19-204 on the Question of a change in the number of County Commission Districts. Mrs. Fager spoke with the Election Office and they stated that the Board needed to defer

to legal counsel and what their opinion was, however once the results are certified it is official. The motion was approved by a roll call vote of 3-0.

County Administrator Randy Partington updated the Board on the ARPA Task Force which is a local group working on ARP funds and gathering information, stating they will now be working on slides with guidelines for training and recruiting facilitators to conduct meetings over the next three months. They are requesting the top three priorities of Reno County, so far Mr. Partington received from the Board: housing, economic development, and sewer and water infrastructure. The Task Force is asking the same from the City of Hutchinson.

Commissioner comments:

Commissioner Sellers had no comments.

Commissioner Friesen commented on an incident with a worker at the courthouse having a heart attack and commended two deputies for saving the gentleman's life with their quick actions. He thanked them both and commented that the gentleman is recovering in Kansas City.

Commissioner Hirst was disappointed with not discussing the wind energy regulations. He said he would like to stop putting it off since it has been a three-year conversation with no decision.

At 11:00 p.m. the meeting adjourned until 9:00 a.m. Tuesday, August 10th, 2021.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date

