

August 23, 2022
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners held an agenda session with Chairman Daniel Friesen, Commissioner Ron Sellers, and Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led Pastor Dustin Dick, Buhler Mennonite Brethren Church.

Reno County Health Department's Substance Misuse Health Educator Seth Dewey read a proclamation proclaiming September as National Recovery Month. Commissioner Friesen then presented the proclamation to Mr. Dewey.

There were no public comments.

Mr. Hirst moved, seconded by Mr. Sellers, to amend the consent agenda adding items 6F for approval of the appointment of Assistant Sedgwick County District Attorney Robert Short as a special counsel for Reno County District Court case number 21 CR896, and 6G to approve the Yoder Heritage Day's Fireworks Permit. **Mr. Hirst moved, seconded by Mr. Sellers**, to approve the amendment change. The motion was approved by a roll call vote of 3-0.

Mr. Sellers stated on item 6G he was aware of the situation where Yoder Heritage Days was late getting their permit application in for the fireworks display. All documents were in and approved then signed by the local Fire Chief to safely have the fireworks display on Saturday, August 27th, 2022. He also had questions for Public Works Director Don Brittain on the contract for the Cow Creek Bridge. Mr. Brittain noted the project would possibly start late 2022 or early 2023, a lower bid was offered by not putting a date on the project. He said King Construction Company was a preferred company and had gotten the low bid out of four.

Mr. Hirst moved, seconded by Mr. Sellers, to approve the Consent Agenda consisting of items 6A through 6G, including the Accounts Payable Ledger for claims payable on August 19th, 2022, totaling \$547,123.86, claims payable on August 26th, 2022, totaling \$728,026.07; approve the Title VI Policy and Plan for Reno County Area Transportation tri-yearly review and update; approval to declare Public Works' 2012 Dodge Ram 2500 4WD pickup, VIN#3C6TD5HT9cG174587, with approximately 163,111 miles on it as surplus to be auctioned on PurpleWave and authorize County Administrator Randy Partington to sign the title once pickup is sold; approval to declare Public Works' 2009 Chevy Silverado 2 WD Extended Cab pickup, VIN#1GCHC49K39E135091, with approximately 166,833 miles on it as surplus to be auctioned on PurpleWave and authorize County Administrator Randy Partington to sign the title once the pickup is sold; approve contract between Reno County and King Construction Company, Inc. for the construction of a new bridge over the Cow Creek at the entrance of Willowbrook for the sum of \$1,532,003.34, as amended.

Mr. Sellers commented on item 6G for the permit application on the fireworks display for Yoder Heritage Days. The public knows the rules since they have done it in past years and should have had it in on time. County employees are willing to work with people and help them if they come to them in the appropriate time. He thought it was offensive and a slam to some county employees how it was handled by a special vote of the Commission. This permit should have been taken care of properly in a timely manner.

Both Mr. Hirst and Mr. Friesen also received calls on the denied permit. Mr. Hirst suggested in his phone call to Mr. Headings to put the date on a calendar book for next year to be on time. Mr. Friesen agreed with Mr. Sellers comments to support staff since they were just following the rules. He commented that no one wants their fireworks display shut down for the community, stating this was not the best of situations. Mr. Hirst spoke with the Mr. Partington regarding the staff looking at recommendations to change length of days to apply.

Mr. Sellers believed making this exception could cause future problems and did not want to do exceptions, making this the one and last time he would approve. The motion was approved by a roll call vote of 3-0.

Mr. Friesen moved, seconded by Mr. Hirst, to approve setting the canvass date and time for the September 6th, 2022,

USD 311 School Bond Special Election on September 13th, 2022, at 8:30 a.m. The motion was approved on a roll call vote of 3-0.

County Counselor Patrick Hoffman gave background recommending approval for the Consent Agreement and Final Order between the Kansas Department of Health and Environment and the Supplier of Water for Reno County Rural Water District No. 101. He said every water district gets tested by KDHE and if not satisfied with the results they work with the district, and if not improved, they use a Consent Order. Both parties have agreed there is a problem so in this agreement there are steps to fix the problem. He highlighted in Section 30 of the Consent Order sets out a process A through J until completed and approved by KDHE.

The Board had some questions for Mr. Brittain regarding sewer problems, HABIT, and rates for residents of water district 101 being approximately \$34.00 per month, \$2.50 per 1,000 gallons with commercial being a flat rate twice the residential amount. **Mr. Sellers moved, seconded by Mr. Hirst**, to approve the Consent Agreement and Final Order as presented by staff also having the Chairman sign and initial. The motion was approved by a roll call vote of 3-0.

Mr. Hoffman was also present to discuss delegating a fence viewing board, which per statute was the Board of Commissioners. The Board could delegate a commissioner and others to report back to the entire commission for action. They needed to set a date and time for the fence viewing that had been requested by Wayne and Lauren Sill. Mr. Hoffman reviewed the fence viewing process for a dispute between two rural neighbors with the Commission making the final recommendations. The Board would appoint who will go to identify where the fence should be and who should pay what amount for the fence using the State of Kansas Fencing Laws. Mr. Hirst suggested the committee should review the information from an attorney at Washburn University who was an expert on the fence laws. Mr. Hoffman stated he had one side to the story as he had not heard from the adjacent landowner, the Schroeder's.

Lauren Sill spoke about the background and the current issues regarding the fence. The neighbors had the north/south line surveyed and the markers were correct from a previous survey. The question is on the north/south line if the Sill's stayed within the three-foot boundary, the neighbors thought they went out of that area when they cleared 10 acres of cedar trees, hardwood, and dead brush. The Schroeder's believed they cut down three of their trees in the process of clearing for

fire mitigation and fencing. The Sill's received a demand letter from the Schroeder's with issues.

Mr. Sellers moved, seconded by Mr. Friesen, to appoint Mr. Hirst, Mr. Friesen, and Mr. Brittain with Mr. Hoffman as legal counsel for Reno County to view the fencing on September 8th at 9:00 a.m. They were to view and resolve two questions on the fencing. The motion was approved by a roll call vote of 3-0.

Mr. Partington commented on designating a voting delegate and alternate to the Kansas Workers Risk Cooperative for Counties (KWORCC) annual meeting to be held in conjunction with the Kansas Association of Counties (KAC) annual conference on October 17, 2022. **Mr. Friesen moved, seconded by Mr. Sellers**, to appoint the voting delegate as Mr. Hirst, and the alternate as County Clerk Donna Patton. The motion was approved by a roll call vote of 3-0.

Mr. Partington also presented for consideration nominating members to serve on the KWORCC Board of Trustees. The Board declined to nominate a member by consensus.

Mr. Partington spoke about the monthly department reports. Mr. Sellers mentioned he saw in the reports more applications for employment. Mr. Partington commented there were more applications for positions and that some departments found it hard to find qualified people for some of their positions. He asked The Board to mark their calendars for September 27th as they would be asked to join in focus groups during the day and October 25th, as the Commissioners are the Board of Health, they would join different groups between 1:00 p.m. through 4:00 p.m. The Health Department will be working on their Strategic Plan and Goals during those dates. The Quad County Planning Forum meets in Wichita on September 12th, 2022. New commissioner orientation will be on November 22nd, 2022, welcomed by Chairman Daniel Friesen for duties, Mr. Hoffman for Kansas open meetings act, and meet each Department Directors from 1:00 p.m. to 5:00 p.m. Last week the Planning Commission approved the housing subdivision northeast of Cheney Reservoir. The Planning Board asked if the Board of Commissioners wanted to view the preliminary Platte or wait until final Platte. The Board approved by consensus to not review the preliminary Platte but wait for the final Platte.

Commissioner Comments:

Mr. Sellers expressed his thanks to the county employees for participating in the 150 Year Celebration August 18th. We had very good representation and was very pleased with the City and County's efforts. Asking Mr. Partington to thank staff.

Mr. Hirst stated he attended the Governor's AG Innovation Seminar and said that it is a very good program. Heartland Summit is coming up on August 30th at the Cargill Innovation Center downtown. The K-96 Corridor meeting changed to September 12th and 13th. StartUp Hutch Jackson Swearer along with Mr. Hirst attended the Pretty Prairie Chat Group to speak about finances and noted that there were 25 people who attended with questions.

Mr. Friesen had a call from a landowner regarding the Cottonwood Complex fire area and he wanted to clarify responsibility on the roads. Mr. Friesen would like the landowner to have a written response from the county staff. Public Works Director Don Brittain gave an overview of the history from 1975 when the subdivision was established and there was a resolution by the County Commissioners to create the roads as roads. Each had a condition that these roads, by the petitioners, had to keep those roads up to Valley Township standards, and commented that those roads were not done up to those standards. Mr. Brittain stated the roads could not be closed because you would land lock people. Mr. Hoffman explained these as gloried roads not properly established roads. Mr. Friesen had some feedback on the Emergency Management focus toward cleaning up fire areas, and asked if efforts would come formally back to the commission. Mr. Partington replied yes after the survey was finished it will come to the Board. Thanks to the staff and the county participation, good event.

At 10:20 a.m. the meeting adjourned until 9:00 a.m. Tuesday, August 30th, 2022.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
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Date

