

September 28, 2021  
Reno County Courthouse  
Hutchinson, Kansas

The Board of Reno County Commissioners held the agenda session with Chairman Ron Hirst, Commissioner Ron Sellers, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present. Commissioner Daniel Friesen attended via zoom.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Pastor Tim Kraft, First Church of God.

Commissioner Hirst read a proclamation for National Recovery Month in September. Seth Dewey, Substance Misuse Health Educator, and Karla Nichols, Health Department Director received the proclamation. Mr. Dewey thanked the Board for their support. The Board expressed appreciation for the Reno County employees who work hard making it a better place for residents.

There were no public comments.

County Administrator Randy Partington requested an executive session for one-hour for attorney/client privilege information beginning at 10:00 a.m. **Mr. Sellers moved, seconded by Mr. Hirst, to approve the addition to the agenda.** The motion was approved by a 2-1 vote, Mr. Hirst noted Mr. Friesen was temporarily not connected on zoom to vote.

**Mr. Sellers moved, seconded by Mr. Hirst, to approve the Consent Agenda consisting of items on the Accounts Payable Ledger for claims payable on September 24th, 2021, totaling \$1,036,253.31 and October 1<sup>st</sup>, 2021, totaling \$237,752.06 as submitted. Moratorium Resolution #2021-21: A RESOLUTION PROVIDING FOR A TEMPORARY MORATORIUM ON COMMERCIAL WIND ENERGY CONVERSION SYSTEM IMPROVEMENTS WITHIN THE UNINCORPORATED AREA OF RENO COUNTY, KANSAS; DIRECTING CERTAIN REVISIONS AND AMENDMENTS TO THE RENO COUNTY COMPREHENSIVE PLAN; DIRECTING THAT RENO COUNTY ZONING REGULATIONS CURRENTLY IN EFFECT WITH RESPECT TO COMMERCIAL WIND ENERGY CONVERSION SYSTEMS BE REVISED TO PROHIBIT SUCH SYSTEMS IN THE CURRENTLY ZONED AREA OF RENO COUNTY, KANSAS; AND DIRECTING PLANNING STAFF AND THE PLANNING COMMISSION TO DEVELOP A NEW ZONING DISTRICT WHICH ONLY REGULATES COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN THE CURRENTLY UNZONED PORTION OF THE UNINCORPORATED AREA OF THE COUNTY as presented by staff.**

County Administrator Randy Partington explained to the Board the components of the proposed Resolution. Mr. O'Sullivan agreed with Mr. Partington's explanation and explained that any future decision made by the Board to prohibit Commercial Wind Energy Conversion Systems would more likely be upheld by the Court on appeal with the requested amendments the Comprehensive Plan and the County's Zoning Regulations. The Board discussed public hearings to be held by the Planning & Zoning Commission on any proposed changes. Mr. Hirst stated December 27, 2021, would be the time to hear the public hearings. The motion was approved by a roll call vote of 3-0.

District Attorney Tom Stanton updated the Board on his department and Drug Court. He stated that 64 percent of his 2021 budget had been spent. He discussed the difficulties the current salary range for attorney positions in his office presented to him in his efforts to hire attorneys and asked that the problem be addressed.

Human Resources Director Helen Foster met with the Board to recommend approval of the Commissioners Holiday. She gave options with one being December 24<sup>th</sup> each year as the permanent Commissioners Holiday designation. **Mr. Friesen moved, seconded by Mr. Sellers,** to approve the recommendation from Mrs. Foster to have December 24<sup>th</sup> each year as Commissioners Holiday. The motion was approved by a roll call vote of 3-0.

Mr. Partington reported a quick update of the courthouse project schedule with the dome repairs, plaster repairs and weatherization being completed by January 10, 2022, and windows by the end of March 2022. He spoke about the \$1.8 million dollars, 53 percent of the \$3.4 million dollar budget has been spent for the window project, with \$561,000 paid toward the balance from the earthquake insurance claim. He mentioned the pay study needing approval by the last meeting in November by the commission for a new pay plan.

#### County Commission reports:

Commissioner Sellers thanked Mr. Hirst for his comments thanking the employees for the jobs they do for the county. He said we have a lot of dedicated and qualified employees working for Reno County citizens. He asked why a proclamation for month of September would be read on 28<sup>th</sup> of that same month. Mr. Partington explained with two meetings a month it was not ready

before today. Mr. Sellers had a resolution for the next agenda meeting. He requested the Board review regarding amending Commission salaries for 2023 providing the other two members are voted into office in the November election.

Commissioner Hirst commented on going below the revenue neutral. He was concerned that current inflation rates and budget limitations would hinder providing services expected by the public. He expressed concern that the Commission may face difficult decisions in the future if these factors continued.

County Counselor Joe O'Sullivan gave background information regarding the executive session request. He stated in 2018 Reno County contracted with Ochs Law Firm out of Colorado, to represent Reno County in the national Opioid litigation case. He indicated that Mr. Stephen Ochs and his son, Jason Ochs, would participate with the Commissioners on a zoom call for a status report on the pending case and with respect to settlement decisions the commission would have to make in the near future.

At 9:55 the meeting recessed for five minutes.

The meeting reconvened with all Commissioners, County Administrator Randy Partington, and Minutes Clerk Cindy Martin, present.

Mr. O'Sullivan asked for a motion by the Board to recess into executive session to confer with the Board's legal counsel on a privileged legal matter, that being a status report from attorney Stephen Ochs on Reno County's claim pending in federal district court in the National Opioid litigation for a period of one hour. Necessary for the discussion in addition to Mr. Ochs are County Administrator Randy Partington and County Counselor Joe O'Sullivan. No formal decision is expected following conclusion of the executive session. **At 10:00 Mr. Sellers motioned as requested, and Mr. Hirst seconded that motion.** The motion was approved by a roll call vote of 3-0.

At 10:55 a.m. the meeting returned to regular session and adjourned for the day until 9:00 a.m. Tuesday, October 12th, 2021.

Approved:

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Chair, Board of Reno County Commissioners

(ATTEST)

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Reno County Clerk  
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Date