

October 1, 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 Pastor Kim Biery, Trinity United Methodist Church.

There were no public comments.

Commissioner comments:

County Administrator Gary Meagher noted a Kansas Department of Transportation (KDOT) meeting on November 15, 2019 from 9:00 a.m. to 12:00 p.m. asking if the commissioners would like to attend the 2nd round of the Long-Range Transportation Plan. The main purpose was to gather information from various communities around the state.

Public Works Director David McComb spoke about the Long-Range Transportation Plan's first meeting on August 20th, 2019. He said that first meeting was for community input on items funded over and above the road and bridges, like broadband and electronic signs. He said they also were looking at how they spend money deciding on the best usage for statewide allocated funds. He recommended the community leaders attend the second meeting where they will narrow down the focus for future county projects. He stated the last plan that was in place, Reno County worked hard for selected projects, working with local communities, the City of Hutchinson, Chamber of Commerce and surrounding counties to get several road projects completed.

Commissioner Hirst stated he attended the Planning and Zoning meeting where they discussed moving forward with a request to zone the southeast portion of Reno County. He encouraged the Planning Commission to go forward gathering information for an AGP (AG Protection zone) to protect citizens in either a portion or the balance of the county.

Commissioner Sellers also attended the Planning and Zoning meeting and had different thoughts on the idea of zoning in the future. He thought filling in a triangle in the southeast area that was un-zoned would make sense, but he was questioning doing zoning for that one area that doesn't include the whole un-zoned county. He asked Mr. Bush for clarification on his comments after the Pretty Prairie Wind Farm situation since one of the Planning Board members thought they were to do something. He hoped the Planning Board took their time on the process of zoning.

Commissioner Bush remembered very clearly stating five different ways for the Planning Board to proceed. It was not requiring or directing the Planning Board to consider the issues. The direction was to review them, then decide what was best for Reno County. He did not direct the Planning Board to do anything. He stated that the Board of County Commissioners consensus was to look not require an overlay from them. There was not any timeline implied with the work the Planning Board would be doing. He said we need to proceed slowly for a clear understanding on the impact to the community.

County Planner Mark Vonachen noted the Planning Commission had been looking at the zoning issue since the presentation in June or July of this year. The Planning Commission has been studying it and identified four different scenarios: 1) leave zoning as is, 2) overlay zoning district making a new zoned district with specific land uses you want to regulate not what he called full blown zoning and sub division regulations, 3) that overlay would be from the eastern part of the county to county wide, 4) zone portion of the southeastern area per the request of 70 residents who are asking for zoning to protection against wind farms. He has been very careful to explain to the residents the difference of full zoning and what it could mean to them. Planning Commission may be looking at an October meeting noting that they are still in information gathering mode. He stated the Planning Commission sees this as a two-phase approach; phase one would be to decide if they should expand zoning into the un-zoned areas, once that recommendation is approved by the County Commission. Then phase 2 do some community engagement in that area to explain what zoning would mean. He said more importantly was the subdivision regulations that tell them what they can or cannot do in the county. He stated the next step would be to look at wind energy and solar energy regulations then adding other types of regulations that needed to be improved.

Commissioner Sellers was concerned about zoning and expressed how good a job of vocalizing Mr. Vonachen did at the meeting with his explanation of the changes. He asked Mr. Vonachen if he could put those changes on a simple one-page document that hit the highlights for zoned versus un-zoned areas from the Planning Commission's discussion. Mr. Vonachen explained zoning changes for the Commission and stated that if the area gets zoned, they could look at revisions to the regulations.

There were two additions to the agenda; discussion on the Cost Share Program from The Kansas Department of Transportation (KDOT) and an executive session for attorney/client privileged matters. **Mr. Sellers moved, seconded by Mr. Hirst, to add these items to the agenda.** The motion was approved by a roll call vote 3-0.

Mr. Hirst moved, seconded by Mr. Sellers, to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on October 4, 2019 of \$103,769.42 as submitted. Next item on the consent agenda was tabled from 9/24/19: **resolution 2019-16; A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO BRING AN EXISTING MANUFACTURING FACILITY AND RETAIL BUSINESS INTO COMPLIANCE WITH THE ZONING REGULATIONS ON TWO PARCELS LOCATED IN THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 24 SOUTH, RANGE 5 WEST OF THE 6TH P.M. IN RENO COUNTY, KANSAS,** for Planning Case 2019-06 a request by Dale Lehman. **Resolution 2019-17; A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A COMMERCIAL USE FOR A CONSTRUCTION COMPANY OFFICE AND MATERIAL STORAGE AREA ON A PARCEL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 5 WEST OF THE 6TH P.M. IN RENO COUNTY, KANSAS,** for Planning Case 2019-07 a request by Garber Leasing, Inc., as submitted by staff. The motion was approved by a roll call vote of 3-0. Commissioner Sellers apologized to Mr. Lehman for the delay.

Human Resources Director Renee Harris recommended approval for the County Administrator Recruitment Profile. She said the changes discussed last week were made and stated that the base minimum salary was set at \$125,000 following the recommendation printed in the profile packet from the recruiter, Austin Peters Group. Mr. Meagher noted the edits made to the profile were reflected in the final draft with the recommended base salary amount and that would be what the Commission would be adopting. After a brief discussion about other compensation added to the

base salary, the Board decided to go with the \$125,000 as recommended. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve the County Administrator Recruitment Profile document as presented by staff. The motion was approved by a roll call vote of 3-0. Mr. Bush asked Mrs. Harris to set aside dates for interviews in the next couple of months.

Mr. Meagher explained 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 in November. Reno County is a member of KWORCC, a worker's compensation pool that distributes the risk and as a member, Reno County can vote on any changes that may occur. We were asked if we would like to appoint a delegate and an alternate at the KAC meeting in November. The bylaws of KWORCC state the delegate and alternate must be any elected official. **Mr. Sellers moved, seconded by Mr. Hirst,** to designate Bob Bush as the voting delegate and Ron Hirst as the alternative for the KWORCC annual meeting on November 12, 2019. The motion was approved by a roll call vote of 3-0.

Mr. Meagher was also present to request nominating members to serve on the KWORCC Board of Trustees. The Board of Trustees oversees the pool and noted that they have openings in several districts, allowing the members to nominate a person in that district. **Mr. Sellers moved, seconded by Mr. Hirst,** to decline to nominate members to serve on the KWORCC Board of Trustees. The motion was approved by a roll call vote of 3-0.

Emergency Management Director Adam Weishaar met with the Board to discuss a mitigation plan, which is a multi-hazard, multi-jurisdictional plan covering 11 counties in South Central Kansas. This plan is to be updated every five years and the last time Reno County updated was in 2014. This plan is completed and approved by FEMA and needs to be adopted locally by resolution. County Counselor Joe O'Sullivan will draft a resolution for next week's agenda.

Mr. Meagher asked Mr. McComb to explain the KDOT Cost Share Program for FY2020 stating that the state rolled this program out. He read the objective;" This program provides financial assistance to local entities for construction projects that improve safety, leverage state funds to increase total transportation investment, and help both rural and urban areas of the state improve the transportation system." He stated the funding available was a minimum of eleven-million-dollar pot and

another was a fifty-million-dollar pot. The first amount has a 15 percent local match. Then for the \$50,000,000 level, the requirement was a minimum of a 25 percent local match. He stated this program is very, very competitive between statewide projects so Reno County must enhance their application to help win the funding. He said when we make application, Reno County would have to come up with the one-million-dollar local match. He said they were submitting the application on the 43rd Street Bridge project and would fund the one million up front. WSP would do all the application work for Reno County and noting that the application must be in by October 11, 2019 with Letters of Support for the project having the focus on safety. He stated that the timing is very important. Mr. Meagher noted that the City of Hutchinson was also submitting an Apple Lane project. Mr. McComb was asking the Board for direction requesting to make a 50 percent match instead of the 25 percent to help further enhance the application. The Board by consensus would allow the 50 percent match.

Youth Services Director Bill Hermes met with the Board for his regularly scheduled meeting. Mr. Hermes discussed various current issues not requiring action by the Board.

At 10:25 the meeting recessed for ten minutes.

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

At 10:35 Mr. O'Sullivan requested an executive session. **Mr. Sellers moved, seconded by Mr. Hirst**, to go into executive session for thirty minutes to discuss a privileged legal matter with counsel regarding the Pretty Prairie LLC asking Mr. Meagher to be present with no formal action to be taken. The motion was approved by a roll call vote of 3-0.

At 11:05 the meeting adjourned until 9:00 a.m. Tuesday, October 8, 2019.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date