



**Board of Riley County
Commissioners
Regular Meeting
Minutes
March 25, 2021**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

8:30 AM

Call to Order

Attendee Name	Title	Status	Arrived
John Ford	County Commissioner	Present	8:30 AM
Kathryn Focke	County Commissioner	Present	8:30 AM
Greg McKinley	County Commissioner	Present	8:30 AM
Rich Vargo	County Clerk	Present	8:30 AM
Clancy Holeman	Counselor/Director of Administrative Services	Present	8:30 AM
Elizabeth Ward	Human Resource Manager	Present	8:30 AM
John Ellermann	Public Works Director/County Engineer	Present	8:30 AM
Alice Massimi	PIO	Present	8:32 AM
Tami Robison	Budget and Finance Officer	Present	8:32 AM
Amanda Smeller	Planning/Special Projects Director	Present	8:32 AM
Gary Rosewicz	Assistant County Engineer	Present	8:56 AM
Kevin Howser	IT/GIS Director	Present	9:35 AM
Michael Boller	Noxious Weed Director	Present	9:39 AM
Shelly Williams	Community Corrections Director	Present	9:45 AM
Russel Stukey	Emergency Management Director	Present	10:00 AM
Michael Regal	Assistant Fire Chief	Present	10:00 AM
Paul Foltz		Present	10:22 AM
Julie Gibbs	Health Department Director	Present	10:52 AM
Kurt Moldrup	RCPD	Present	10:52 AM
Mark French	RCPD	Present	10:52 AM
Greg McHenry	County Appraiser	Present	11:15 AM

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Ford's Comments:

Monday afternoon we hosted via Zoom the March Intergovernmental Meeting. Appreciated both Clancy Holeman and Greg McHenry's presentation on the "Dark Store Theory" and was extremely disappointed to hear of the outcome of the Riley County Home Depot case. Kudos goes out to Stephanie Peterson at the MPO for putting together the presentation she had on the MSA and UKA on such short notice too. Also good to get an update from all of the local entities as usual and see their progress through the early part of 2021.

Monday afternoon I had my usual Community Leaders Zoom Meeting. The dialog pretty much centered around the continued logistics of the vaccination process here locally and regionally and we got updates from the EOC, K-State, Lafene Health Center, the City of Manhattan, and Ascension Via Christi as to how this is going currently as we start moving into Phases 3 and 4. New reporting tactics on vaccinations and testing moving was discussed as well.

Monday afternoon I had the chance to take a tour of the Well-Health testing site over off of Tuttle Creek Boulevard. They really have an excellent setup that will work both indoor and outdoor depending on the weather and are currently doing around thirty tests daily at the site with roughly three people present. They are making plans to be at that site till at least mid-May at this point.

Tuesday afternoon I had the monthly Zoom meeting of the Board of Directors for Pawnee Mental Health. Got a Finance Committee update. We heard for the first time from the newly formed Diversity Inclusion Group. They had a really good presentation and set of testimonials. Geary County is the county of month. Discussion followed on new board members including Riley County, a complete financial and executive director's report, several updates from staff, and dialog on Mental Health Proclamations upcoming as well.

Wednesday afternoon I attended the 2021 NACo Virtual Legislative General Session Conference. It was a power packed line-up of Bi-Partisan speakers including Jessica Rosenworcel, Acting Chairwoman FCC; Jeffery Zients, White House Covid-19 Response Coordinator; US House Rep Paul Tonko (D-NY); US Senator Bill Cassidy (R-LA); US Senator Bob Menendez (D-NJ); US Senator Ed Markey (D-Mass); Speaker of the US House of Representatives Nancy Pelosi (D-CA); and

finally President Joseph R. Biden himself.

Wednesday evening I attend the Council of Foreign Affairs latest teleconference presentation. The guest speaker was Betsey Stevenson, Professor of Public Policy and Economics at the University of Michigan. Her presentation centered around the new US Stimulus bill and how it will shape the nation's economic competitiveness both domestically and abroad.

McKinley's Comments:

Monday we all attended the intergovernmental luncheon. Clancy and Greg gave a presentation on the Dark Store appraisal problems. We were informed that we lost the Home Depot case with BOTA. If this continues with other big box stores, it will cause property taxes on all other entities to go up to cover the losses. The dark store system appraises their buildings as if they were a vacant unused building where other properties including homes are appraised in their present condition. There are two bills in the Kansas legislature to clarify the appraisal system and exclude the hypothetical lease method of valuation.

The second presentation was by Stephanie Peterson the Flint Hills MPO Director. She discussed proposed changes to the MSA and UZA and how they might affect this area. It is believed that even if they raise the Metropolitan Statistical Area (MSA) requirements to 100,000 population, Manhattan would be grandfathered in. These designations affect how some federal money is distributed.

Monday afternoon I met with County Appraiser, Greg McHenry. This had been scheduled earlier and was not in response to the information at the Intergovernmental Luncheon. We did discuss the Dark Store appraisal approach and how it affects property taxes. He went over how appraisals are done for all types of property in the county. It was also a chance to introduce ourselves to each other. It was a very informative meeting.

Tuesday and Wednesday I was reviewing information and questions regarding the Health Order 21 that we will be discussing later this morning.

Finally, a day late, happy birthday wishes to former Commissioner Ron Wells.

Focke's Comments:

Monday:

Attended the Intergovernmental Luncheon held at the County Commission Chambers. Reports were heard from various governmental agencies. There was a video on the Dark Store taxation issue with a projected impact of the reduction of the big store property taxes that would be shifted to Riley County taxpayers, including the school districts. It would have a devastating effect on many programs of the county.

Tuesday:

Had an e-mail inquiry about the intersection of Hwy 113 and Tuttle Creek Boulevard so I checked again with the K-113 Corridor Study Advisory Committee that I was assigned to in January. (I had not received any responses from the contacts listed) Cindy checked on it and found that the study was completed two years ago and the committee disbanded. I can get a copy of the report from the public works department that was forward to KDOT. I need to get another committee assignment.

Participated in a personnel support committee meeting at our church. It gives me an insight into personnel issues that can occur. Especially as it relates to non-profits.

Started to review the Law Board Appointment process given to us on Monday and will send suggestions to Cindy in the next week. After further thought, I don't believe it would be a good idea to have public interviews as it may discourage potential board members, which are normally difficult to fill.

Wednesday:

Had several personal appointments relating to a scheduled surgical procedure on Friday.

Followed up on e-mails and calls for the upcoming recorded Q & A town hall type meeting scheduled for this weekend.

Business Meeting

3. Highway Use Permit, Evergy

Move to approve the Highway Use Permit with Evergy to work in the right of way to install a 24 in. by 40 ft. permanent steel culvert with end flares on the east side of Deep Creek Road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

4. Planning & Development Half Ton Pickup - Bid Recommendation

Move to approve the bid from Shawnee Mission Ford for \$28,933 and the addition of a bed cover from Film At Eleven for an additional \$1,622.65 for a total of \$30,555.65.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kathryn Focke, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

5. Sign Riley County Personnel Action Form(s)

The Board of County Commissioners signed Riley County Personnel Action Forms for the following:

- Anita Bloom, a new hire, as an As-Needed Clerical Assistant, in the Planning & Development Department, at a grade D step 1, at \$13.33 per hour.
- Bradley Denten, a new hire, as a COVID-19 Contact Tracer, in the Health Department, at a grade B step 3, at \$15.49 per hour.
- Jessica Cruz, an Appraiser II, in the Appraiser's Department, for Separation from County Service, effective March 9, 2021.
- Connor Reyes, a Roadside Maintenance, in the Noxious Weed Department, for Separation from County Service, effective March 18, 2021.

6. Approve payroll/accounts payables (when completed)

Move to approve the payroll vouchers in the amount of \$566,002.43 and the following warrant vouchers for March 26, 2021:

2021 Budget

County General	\$687,723.83
Health Department	86,986.66
Court Services	150.00
County Auction	240.00
Motor Vehicle Operations	4,020.28
Community Corrections	14,339.75
Capital Improvements Fund	42,007.50

Emergency 911	5,121.34
Solid Waste	144,369.28
County Building	20,156.04
Road & Bridge Cap Project	9,350.96
RCPD Levy/Op	7,617.93
Landfill Closure	722.04
Riley Co Fire Dist #1	16,561.82
University Park W&S	1,247.50
Hunters Island Water Dist	2,175.71
Carson Sewer Benefit Dist	941.67
Deep Creek Sewer	151.96
Moehlman Bottoms	1,000.56
Terra Heights Sewer	218.91
Konza Water Operations	6,085.52
Lakeside Heights Sewer	18.25

TOTAL. \$1,051,207.51

2020 Budget

County Building	\$2,094.79
Road & Bridge Cap Project	4,396.50
Fairmont Heights Cap Proj	66,238.64

TOTAL. \$72,729.93

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

Review Minutes

7. Board of Riley County Commissioners - Regular Meeting - Mar 22, 2021 8:30 AM

Move to approve the minutes.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kathryn Focke, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

Review Tentative Agenda

8. Tentative Agenda

Press Conference Topics

9. Discuss Press Conference

9:00 AM John Ellermann, Public Works Director/County Engineer

10. Sales Tax Discussion

Ellermann & Rosewicz presented information on the current Riley County 1/2 cent sales tax for roads and bridges.

Robison stated there may not be enough funding to complete the entire list of projects due to cost increases.

Robison said the revenue generated through the sales tax for roads and bridges annually equates to 2.85 mills annually.

Ellermann stated there is a long list of additional projects in the future, which need replaced.

The Board agreed by consensus to draft a potential sales tax question for Riley County roads and bridges.

9:35 AM Kevin Howser, IT/GIS Director

11. IT/GIS Staff Update - March 2021

Howser presented the IT/GIS staff update.

9:50 AM Shelly Williams, Community Corrections Director

12. Staff Update

Williams presented the Community Corrections staff report.

Williams asked the Board if it is okay to allow CASA to use Community Corrections storage space on the 4th floor during their construction. Williams stated they will move their items to the third floor break room.

The Board agreed with William's recommendation.

10:05 AM Michael Boller, Noxious Weed Director

13. Bid Recommendation / Bid Summary

Boller presented the 2021 truck bid recommendation.

Move to approve the low bid submitted by Robbins Motors of Manhattan, KS for a one and one-half ton 4x4 regular cab-chassis truck in the amount of \$37,684.00 for the Noxious Weed Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

14. Herbicide Purchase Request

Boller presented the herbicide request.

Move to approve the Purchase Authorization for herbicides for the Noxious Weed Department in the amount of \$45,000.00.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

15. Hiring Process for Equipment Operator / Roadside Mowing

Boller presented the request to fill the Roadside Mowing/Equipment Operator position.

Move to proceed with the hiring process to fill the position of Roadside Mowing/Equipment Operator.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kathryn Focke, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

The Board of County Commissioners signed a Riley County Position Action Form for a Roadside Mower-Equipment Operator, in the Noxious Weed Department, at a grade H.

10:15 AM Russel Stukey, Emergency Management Director

16. Staff Time and discuss vehicle purchase

Russel presented an Emergency Management staff update and vehicle purchases.

Move to approve RCFD#1 Director Russel Stukey to solicit bids for command vehicles for Fire Chief and Deputy Chief and approve the Purchase Authorization for two 3/4 ton pickups in the amount of \$95,000.00 for the Riley County Fire District #1.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

Stukey presented the KA-Comm and TBS Electronics agreement.

Move to approve the Purchase Agreement with KA-Comm, Inc. and TBS Electronics to facilitate upgrading handheld radios for RCFD#1.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

10:30 AM Clancy Holeman, Counselor/Director of Administrative Services

17. Administrative Work Session

Holeman asked the Board to add an executive session to the agenda.

Move to add an executive session to Holeman's time on the agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

10:30 AM

Executive Session

Move the County Commission, including Chairman Ford, Commissioner McKinley, and Commissioner Focke, recess into executive session on potential litigation for the purpose of consultation with Clancy Holeman, Riley County Counselor, attorney for the County Commission, which would be deemed privileged in the attorney-client relationship, an exception to the Kansas Open Meetings Act, the open meeting to resume in the County Commission Chambers at 10:50 a.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Ford, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

10:50 AM

Move the Board of County Commissioners come out of executive session.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Ford, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

Move the record reflect action shall be taken consistent with the consensus reached in executive session.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Ford, County Commissioner
SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

10:50 AM

Clancy Holeman, Counselor/Director of Administrative Services

18. BOCC Review and Possible Approval of "Local Health Officer Order No. 21

Holeman discussed the current Local Health Order and impacts of SB 40 regarding mask and other COVID related requirements.

The Board discussed the Local Health Order and SB 40.

Ford stated we need to know the total number of vaccinations in our community and the number of cases in the City of Manhattan and rural Riley County.

Gibbs stated approximately 23,000 residents have been vaccinated. Gibbs said approximately 62,000 in Riley County are eligible for vaccination.

Move that the Board authorize the Local Health Officer to issue Local Health Officer Order No. 21 because it is necessary and narrowly tailored to the purpose stated in the Order and uses the least restrictive mean to achieve such purpose.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kathryn Focke, County Commissioner
SECONDER:	John Ford, County Commissioner
AYES:	Ford, Focke, McKinley

11:20 AM Greg McHenry, Appraiser

19. Request to refill Commercial Appraiser II position

McHenry presented the request to refill the Appraiser II - Commercial position.

Move to refill the Appraiser II - Commercial position.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley

The Board of County Commissioners signed a Riley County Position Action Form for an Appraiser II-Commercial, in the Appraiser's Department, at a grade L.

Adjournment

Move to adjourn.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Ford, Focke, McKinley