



**Board of Riley County  
Commissioners  
Regular Meeting  
Minutes  
April 07, 2022**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

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

[District 3 – Kathryn Focke, Vice Chair](#)

[District 1 – John Ford, 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  |
| Russel Stukey    | Emergency Management Director                 | Present | 8:30 AM  |
| David Adams      | EMS/Ambulance Director                        | Present | 8:30 AM  |
| Christian Bright | Manhattan Mercury                             | Present | 8:30 AM  |
| Elizabeth Ward   | Human Resource Manager                        | Present | 8:34 AM  |
| John Ellermann   | Public Works Director/County Engineer         | Present | 8:45 AM  |
| Michael Boller   | Noxious Weed Director                         | Present | 8:55 AM  |
| Evan McMillan    | Assistant County Engineer                     | Present | 8:55 AM  |
| Sam Hennigh      | KMAN                                          | Present | 9:25 AM  |
| Kevin Religa     | Riley County Conservation District            | Present | 10:00 AM |
| Bernard Irvine   |                                               | Present | 10:00 AM |
| Perry Piper      | Environmental Health Specialist               | Present | 10:00 AM |
| Bob Isaac        | Planner                                       | Present | 10:00 AM |
| Craig Cox        | Deputy County Counselor                       | Present | 10:15 AM |
| Scott Carmichael | Riley County Conservation District            | Present | 10:15 AM |
| David Nehls      |                                               | Present | 10:15 AM |
| Shawna Nehls     |                                               | Present | 10:18 AM |
| Dick Carter      |                                               | Remote  | 10:45 AM |
| Ron Highland     | 51st District Representative                  | Present | 10:45 AM |
| Jay Hall         | KAC                                           | Remote  | 10:45 AM |
| Tom Bruno        |                                               | Remote  | 10:45 AM |
| Mike Dodson      | 67th District Representative                  | Remote  | 10:45 AM |
| Sydney Carlin    | 66th District Representative                  | Remote  | 10:45 AM |

**Pledge of Allegiance**

**Public Comment**

## 1. Public Comments

Stukey reported on the fire north of Randolph in Riley County last night. Stukey stated the fire jumped the river and crossed over to Pottawatomie County. Stukey estimated 1,500-1,600 acres burned. Stukey said a couple of houses were evacuated. Stukey said the firefighters are monitoring the fire today.

Stukey stated the Chairman signed a Declaration of Local Disaster Emergency for Riley County, Kansas.

Adams reported on Monday he was appointed by the Governor to the Board of EMS. Adams said they have monthly meetings.

**Commission Comments**

## 2. Commission Comments

McKinley's Comments:

Yesterday I came into the office to go over some items. Russel Stuckey came by and mentioned the fires going on including the large one north of Randolph.

Later I met with Kristin Little at Senator's Moran office. We talked about some of the work going on in DC, nothing specific affecting the county right now.

Spent a lot of time looking at applications coming in for our open department head jobs.

Last night I had some calls and emails with Russel Stukey about the fire at the north end of Tuttle. Finally we had to declare a Disaster Emergency to get additional help. It settled down overnight, but when the winds pick up today it could become a problem again.

Focke's Comments:

Tuesday I attended the LEPC quarterly meeting. It was held in person in the Commission Chambers. The last meeting was in October. After introductions, reports were made by: Michele Jones of USD 383 who gave the dates for Active Violence Drills to be conducted at Anthony

Middle School on July 12<sup>th</sup>, 13<sup>th</sup>, & 14<sup>th</sup>. There will be two drills a day and training exercises.

Chair, Baldwin Fisher, gave several reports on training and exercises at Via Christi and active violence training for the Riley County employees. He also gave a report on Tier II (hazardous materials tracking) and how and where they are stored. Additional comments were made by the people in attendance on their current programs.

Later that evening I attended the board meeting of the Common Table. Reports from the meal providers were made and that the 501 C3 status has finally been received from the IRS. This will allow us to hold fundraisers and apply for grants for upcoming programs. We are being recommended to have the cafeteria space for meals in the 9<sup>th</sup> grade building. A committee was formed to work on the space and need, probably for the fall of 2023.

Wednesday I had a full battery of pre-op tests for the upcoming surgery and my annual physical. It was a full morning and part of the afternoon. I finished too late to attend the Military Relations Committee (MRC) Luncheon. In the evening, I practiced with the Bell Choir and attended Lenten services at my church.

Ford's Comments:

Monday afternoon we started the interview process for finding the next Riley County Appraiser. Glad to see we are moving forward into this process and it will be good to see what candidate we find to fill the role into the future.

Also Monday afternoon I met via video conference with my nutritionist to start working on figuring out a new and creative plan moving forward to address some of the recent challenges I've been running into with diet and exercise. We are tweaking a few things and developing a different strategy to hopefully come up with different results. More to come here as the spring moves ahead.

Tuesday afternoon I spoke with Stephanie Peterson at the MPO as we continue putting together a plan to start the process to find her replacement. We should have everything together to discuss during Friday's Special Policy Board Meeting and could possibly start advertising for the position early next week, more details to follow.

Wednesday night I made it over to Ogden for their city council meeting. They had a pretty long meeting and amongst the topics of discussion were a 2021 city audit by Russell Shipley from Shipley CPA, Matthew Kohler from BG Consultants discussing USD 383

desire and need for extra parking around the elementary school, amending several sections to the city's ordinance pertaining to mobile home parks, and reviewing bids for roof repairs to the city pool and bus shelter.

Since it is April and we are in National County Government Month. I wanted to mention NACo's "Untold Stories". It's giving counties from around the country the spotlight and share how we are spending and using funds from the American Rescue Act to fund, and serve and provide critical resources for our residents and communities, It's a pretty unique way to highlight the human impact of county services as a whole. The NACo website has plenty of tools, templates, and other things to help counties tell their story, and there are plenty of them to review currently as we speak.

Congratulations goes out to Riley County EMS Director David Adams for having Governor Kelly appoint him to the Kansas Emergency Medical Services Board. Always happy and elated to see Riley County staff serve in broader and more engaging manners.

Lastly today is the "official" start to the 2022 MLB season, so I will just say GO ROYALS and GO BRAVES.

### Business Meeting

3. Highway Use Permit, Larson Construction

Move to approve the Highway Use Permit granting the Larson Construction permission to work in the right of way to install a water line via trenching located along Angelias Way.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

4. Action on ballot for special mail-in Election

Move to vote the Special Mail-in Ballot.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | 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:

- Sarah Ikena, a new hire, as an Assistant County Attorney, in the Attorney's Department, at a grade GG, at \$3,925.70 biweekly.
- Lisbeth Posligua, a new hire, as a Medical Interpreter, in the Health Department, at a grade N step 3, at \$23.96 per hour.
- Nathan Henderson, a COVID-19 Contact Tracer, in the Health Department, for Separation from County Service, effective March 29, 2022.
- Tasha Holcomb, a new hire, as a Customer Service Representative I, in the Treasurer's Department, at a grade F step 2, at \$15.66 per hour.
- Keane Adolph, a new hire, as a Traffic Control Technician, in the Public Works Department/Operations & Fleet, at a grade I step 4, at \$19.37 per hour.
- Gilbert Terrell, a Public Works Operator II, in the Public Works Department/Solid Waste Division, for Separation from County Service, effective June 20, 2022.

6. Approve payroll/accounts payables (when completed)

Move to approve the payroll vouchers in the amount of \$551,624.31 and the following warrant vouchers for April 8, 2022:

**2020 Budget**

|                           |             |
|---------------------------|-------------|
| Capital Improvements Fund | \$12,172.50 |
| TOTAL. . . . .            | \$12,172.50 |

**2021 Budget**

|                           |              |
|---------------------------|--------------|
| Capital Improvements Fund | \$189,863.00 |
| TOTAL. . . . .            | \$189,863.00 |

**2022 Budget**

|                          |              |
|--------------------------|--------------|
| County General           | \$396,450.31 |
| Health Department        | 93,608.69    |
| Court Technology         | 725.00       |
| County Auction           | 693.00       |
| Motor Vehicle Operations | 4,019.15     |
| Community Corrections    | 8,302.63     |

|                           |              |
|---------------------------|--------------|
| Capital Improvements Fund | 500.00       |
| Emergency 911             | 276.17       |
| Solid Waste               | 10,570.33    |
| County Building           | 11,696.24    |
| RCPD Levy/Op              | 1,169,232.51 |
| Riley Co. Fire Dist. #1   | 92,856.80    |
| University Park W&S       | 559.23       |
| Hunters Island Water Dist | 19.62        |
| Carson Sewer Benefit Dist | 381.25       |
| Terra Heights Sewer       | 75.00        |
| Konza Water Operations    | 147.03       |

TOTAL. . . . . \$1,790,112.96

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

### Review Minutes

7. Board of Riley County Commissioners - Regular Meeting - Apr 4, 2022  
8:30 AM

Move to approve the minutes.

|                  |                                        |
|------------------|----------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED AS AMENDED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | John Ford, County Commissioner         |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner     |
| <b>AYES:</b>     | Ford, Focke, McKinley                  |

### Review Tentative Agenda

8. Tentative Agenda

### Press Conference Topics

9. Discuss Press Conference

**9:00 AM Evan McMillan, Assistant County Engineer**

## 10. Bid opening for 2022 asphalt overlay program

The Board of County Commissioners opened the following bids for the 2022 asphalt overlay program.

| <u>Company</u>                                                            |                                                       | <u>Alternate #1</u>                                | <u>Alternate #2</u>                                |
|---------------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------|----------------------------------------------------|
| Shilling Construction Company, Inc.<br>PO Box 1568<br>Manhattan, KS 66505 | <b>Option 1</b><br><b>Option 2</b><br><b>Option 3</b> | \$1,013,992.50<br>\$1,053,228.50<br>\$1,071,612.50 | \$1,124,720.50<br>\$1,162,356.50<br>\$1,187,100.50 |

Move to refer the bids to staff for evaluation and recommendation.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**9:05 AM Rich Vargo, County Clerk**

## 11. 2023 Budget Baseline

Vargo presented the 2023 Budget Calendar and 2023 Budget Baseline.

Vargo asked the Board for direction to staff and outside agencies for the 2023 Budget Baseline.

The Board agreed by consensus for the following 2023 Budget Baseline: All budgets reflecting departmental needs being aware of current economic conditions and tax sentiment of the public. New positions will not be added to the proposed budgets. STEP will be included on the proposed budgets for all personnel. New position requests will go to the Human Resource Manager to be presented for consideration at a future budget work session.

**9:15 AM Michael Boller, Noxious Weed Director**

## 12. Staff Update

Boller presented the Noxious Weed/HHW staff update.

**9:30 AM Elizabeth Ward, Human Resource Manager**

13. Request to for Employee Workgroup to Examine Compensation & Benefits Proposal

Ward presented the request for an Employee Workgroup to examine compensation & benefits proposal. Ward said she would like to focus on pay and work life balance.

The Board discussed the request.

Move to approve the formation of an employee-focused workgroup to lead the compensation and benefits discussions at Riley County.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Kathryn Focke, County Commissioner |
| <b>SECONDER:</b> | John Ford, County Commissioner     |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**9:45 AM Clancy Holeman, Counselor/Director of Administrative Services**

14. Administrative Work Session

Holeman discussed today's Legislative Conference at 10:45 a.m. with the State Legislators.

**10:00 AM Amanda Webb, Planning/Special Projects Director**

15. Planning & Development - Staff Update

**10:15 AM Craig Cox, Deputy County Counselor**

16. David & Shawna Nehls Septic System

Cox presented the Nehls septic system variance.

Move to adopt the findings of the Hearing Officer. David and Shawna Nehls is granted a variance from set-back requirements for both the current lateral field and the additional lateral field for three bedrooms.



|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**10:35 AM**      **Scott Carmichael, Riley County Conservation District Director and Michael Bartmess, the Acting District Conservationist for Riley and Geary Counties**

17.      Riley County Conservation District update

Carmichael presented a Riley County Conservation District update.

**10:45 AM**      **Clancy Holeman, Counselor/Director of Administrative Services**

18.      Follow Up 2022 Legislative Conference--Zoom Appearances by Legislative Delegation

Highland reviewed HB 2239 regarding the Revenue Neutral Rate.

Dobson discussed SB 267 and the funding of KPERS.

Dobson discussed the distribution of State ARPA funds, including budget stabilization.

Carlin stated stabilization and rainy day fund is the same.

Carlin said she hopes to get a food sales tax bill passed.

Highland discussed the 3 year phase out of the State food sales tax.

Heger discussed the Motor Vehicle Fee to eliminate the State \$4.00 fee bill, which passed the House, but put in the Ways and Means Committee on the Senate. Heger said it has passed out of the Ways and Means, but it under the line on the Senate side.

Highland said the Motor Vehicle Fee bill will likely be "bundled" at the end of the legislative session.

Dobson said one thing important to the county is the repeals, which includes the demand transfers.

Holeman asked if there is something Riley County can do to assist with the demand transfers.

Carlin said next year we will have a new Speaker. Carlin stated there is just not an appetite to do it. Carlin said it should be looked at as economic development for the communities.

Dobson agreed with the reluctance to do it and the communities' needs for the funding.

Hall said they have been trying to work it for several years. Hall stated there is some interest on the House side, but not the Senate side.

Bruno stated he has tried similarly and there is lots of money available, but there are other priorities at the legislature.

Holeman asked about the billion dollar surplus and if it will be gone at the end of this year.

Highland said if the payment happens this year it will be twice in the last 10 years \$1 billion has been added to KPERS.

Holeman asked for input on the delegation of the potential for a Riley County Nuisance Abatement Act, like Sedgwick County was granted last year.

Holemen said it allows counties the authority to clean up nuisance properties and charge the cost to the property owner.

Dobson discussed the opportunity to draft something to work for the counties.

Ford discussed the need for a tool with teeth to clean up nuisance properties.

Holeman stated the legal means currently available do not work in the court system. Holeman said there is a real reluctance from judges to impose penalties.

Highland recommended looking at the committee's testimony on the bill to work around the objects to form a bill, which is more palatable.

Dobson said to be fairly specific as well to avoid over reach.

Bruno said the State Constitution allows urban counties more authority for special bills without uniformity issues. Bruno stated Riley County's biggest issue is it is considered non-uniform. Bruno said agriculture would also have concerns.

Highland suggested the Judicial Council could be a great help on the matter.

Carlin discussed HB 2531 regarding property rights.

Carlin discussed the rural housing initiative to moderate income housing.

Dobson said HB 2279 allows APRN's to do certain things.

Dobson discussed protection of hospitals or clinical workers from being bullied.

Dobson said SB 261 deals with meat labeling.

Highland said the lake is silting in and they are working on a barge to deal with silt in Tuttle Creek.

#### 12:30 PM      Executive session

12:30 PM      Executive session to discuss a performance matter involving non-elected personnel

Move that the County Commissioners, including Chairman McKinley, Vice Chair Focke, and Commissioner Ford, along with Elizabeth Ward, Human Resource Manager; Rich Vargo, County Clerk; and Clancy Holeman, County Counselor, attorney for the Commission, recess into executive session pursuant to the non-elected personnel matters exception to the Kansas Open Meetings Act to conduct an interview with an applicant for the position of County Appraiser, and to protect the privacy of the applicant, the open meeting to resume in the County Commission Chambers at 1:30 p.m.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

1:30 PM      Move the Board of County Commissioners come out of executive session.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

Move the record reflect no binding action was taken during the executive session.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**1:30 PM****Executive session**

1:30 PM

Executive session to discuss a performance matter involving non-elected personnel

Move that the County Commissioners, including Chairman McKinley, Vice Chair Focke, and Commissioner Ford, along with Elizabeth Ward, Human Resource Manager; Rich Vargo, County Clerk; and Clancy Holeman, County Counselor, attorney for the Commission, recess into executive session pursuant to the non-elected personnel matters exception to the Kansas Open Meetings Act to discuss their interview with an applicant for the position of County Appraiser, and to protect the privacy of the applicant, the open meeting to resume in the County Commission Chambers at 2:00 p.m.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

2:00 PM

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

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

Move the record reflect no binding action was taken during the executive session.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

### **Adjournment**

Move to adjourn.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Kathryn Focke, County Commissioner |
| <b>SECONDER:</b> | John Ford, County Commissioner     |
| <b>AYES:</b>     | Ford, Focke, McKinley              |