



**Board of Riley County
Commissioners
Regular Meeting
Minutes
June 22, 2023**

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

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

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

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

[District 1 – John Ford, Vice Chair](#)

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
Roger Seymour		Present	8:30 AM
Darrin Hobbs	REACH Chair	Present	8:30 AM
Vivienne Leyva	PIO	Present	8:30 AM
Michele Reid	Payroll, Benefits & Employee Relations Manager	Present	8:30 AM
Katherine Oliver	Court Administrator	Present	8:30 AM
Craig Cox	Deputy County Counselor	Present	8:30 AM
Judge Grant Bannister	District Court	Present	8:30 AM
Jana Chingway	Senior Legal Assistant	Present	8:30 AM
Jill Seaton	Legal Assistant/Office Manager	Present	8:30 AM
Evan McMillan	Assistant County Engineer	Present	8:30 AM
David Adams	EMS/Ambulance Director	Present	8:30 AM
Elizabeth Ward	Human Resource Director	Present	8:30 AM
Anna Burson	County Appraiser	Present	8:30 AM
Emily Infante	District Court	Present	8:30 AM
Bernard Irvine		Present	9:26 AM
Lori Muir	Real Estate Specialist	Present	9:30 AM
Gary Fike	County Extension Director	Present	9:48 AM
Bob Isaac	Planner	Present	10:20 AM
Bernie Fancella	KMAN	Present	8:30 AM
Shilo Heger	Treasurer	Present	10:56 AM

Pledge of Allegiance

Public Comment**1. Public Comments**

Hobbs, on behalf of REACH, presented the Employee of the Month Award to Emily Infante with District Court.

Oliver discussed Emily Infante's work at District Court.

Seymour said he was frustrated as a landlord, sometimes we have to evict people and RCPD is required to do the eviction. Seymour stated the individual is in jail. Seymour said RCPD determined since he was in jail, they did not need to evict him. Seymour stated RCPD still has not fulfilled a lawful order. Seymour said a fee has to be paid for an eviction.

Seymour stated he wanted to bid on a couple of properties and read they had to be registered by last Friday. Seymour said he had not read the requirements until this Monday. Seymour stated he feels it is in the county's best interest to have more bidders at the sale.

Seymour said his family owns property in the Zeandale area which was rented to Riley County for an RCPD firing range. Seymour stated the property is contaminated and needs to be cleaned. Seymour said they will go up to the EPA to get the property cleaned up.

Commission Comments**2. Commission Comments**

Focke's Comments:

Thursday, June 15th I attended the Chamber's "Good Morning Manhattan Meeting" prior to our BOCC meeting.

That afternoon, I met with Amanda Webb, Craig Cox, and Vivienne Leyva to discuss continuing strategy for the Keats project. It was determined that I should make all the follow-up phone calls to the nine property owners, and we discussed what the purpose of the calls would be.

Also, that afternoon, I attended the Joint City/ County/County meeting in our BOCC Chambers. Everygy made a presentation on new electrical transmission lines that will cross a short distance of the northern part of Riley County and mostly in Pottawatomie County. They will have

three upcoming meetings for the citizens and property owners that will be affected.

Friday morning, I did a “thank you for being here” opening for the Kansas Treasurer’s Association meeting that was held at the Hilton Garden Inn.

After that, I spent time in the office and organized the list and contact numbers of the Keats people that I would be calling. I also organized some files and checked e-mails and phone messages.

Saturday and Sunday I did some shopping, stopped by the City Park for a short time and did regular Saturday chores.

Monday, I started making calls to some property owners in the Keats area, reached several and had some good discussions. Had lunch with a friend and then had a 3- hour dental appointment.

Tuesday, I came into the office and was able to reach most of the homeowners on my list. I printed notes from the calls and the follow-up needed and gave copies to Craig Cox and Amanda Webb. Amanda and I worked out the packet enclosures to send to those who had not received anything (different ownership, trustees, etc.). Later, I worked on drafts of personal letters and information to three of those people and completed special letters to each of them on Wednesday evening. Those packets and letters should be going out this afternoon. I will need to follow up on the messages I left for several people.

Wednesday at noon, I attended the Heartland Works, Inc. meeting via zoom. It was a two-hour meeting due to a lengthy report from the Audit and Compliance person, Mary Ann Lawrence from St. Louis. The staff have been working on all the fixable issues identified, including a revision to the bylaws that were ratified. New officers were elected from both the Elected Officials Board and the Advisory Board.

The September meeting will be held in person in Topeka.

Ford's Comments:

Thursday afternoon I had a Zoom call with the Hartwell Capital group and former U.S. Congressman Todd Tiahrt about a Department of Defense based Payment In Lieu of Tax program. There were also County Commissioners from Leavenworth, Sedgwick, and Geary Counties on the call as well. Had a pretty good opening dialog and there will be more to follow including the slide presentation that was had on the call and some preliminary figures and possible approach for this as to moving forward.

Also Thursday afternoon I listened in on the Council of Foreign Affairs June State and Local Officials webinar “Public Health Lessons from Covid-19” Thomas J. Bollyky, Senior Fellow for Global Health, Economics and Development and Director of the Global Health program at CFR lead a conversation on observations and lessons learned from states public health responses to the Covid-19 pandemic. A questions and answer session followed, and I have to say it was very educational and informative on many different levels.

Lastly on Thursday I attended June’s City/County/County meeting that took place here in the BOCC Chambers. The topic of discussion was a presentation from Evergy as a prelude to some work and efforts that will be going on in both Riley and Pottawatomie Counties over the next few years, an update on the transmission lines and power grid in the area, and to give everyone a heads up on the public meetings that will be taking place along the way and the timelines for the project as well.

Friday morning, I met with Scott Voos and staff out at Be Able and took a tour of the facility and discussed some of the things they are working on as well as some of the concerns they have moving forward. Currently they are working on putting in new bathrooms and showers as well as constructing a laundry facility where people in need will have a place to wash and clean their laundry. This organization has come a long way in nearly three years and has been making plans to be part of the community for a very long time.

Friday afternoon I spoke with Anna Burson, Riley County Appraiser to discuss a couple of items and questions I had on the Payment In Lieu of Tax Zoom call, recent certifications, and ideas on a couple of related items for the department.

Saturday morning, I met with the Riley County Republicans out at Dough Bro for breakfast and coffee. Rich Vargo, Riley County Clerk joined me to discuss elections and other functions from within the department. I also gave everyone an update on some of the items we are working on here in the county and answered a few questions. We also heard from several other local officials and candidates registered for the upcoming November elections.

Sunday was Father’s Day so Happy Belated Father’s Day to all the Dads out there. I spent the day catching up on things at home and getting ready for the week.

Tuesday afternoon we had the June meeting of the Riley County Law Board. As usual we passed the consent agenda but with one deletion. We heard several public comments, an update from the Fraternal Order of Police Lodge #17, as well as the Community Advisory Board, and

recognition of CIT International Corrections Officer of year, Corrections Sargent Ericka Hahn. We voted on continuing with 2023 Midwest High Intensity Drug Trafficking Area Topeka DEA Task Force Agreement, discussed the Information Technology Reserve Fund expenditures, and discussed and had a public hearing for the 2024 fiscal budget. No budget was voted on as there are now two possible budgets on the table. Budget 3 is what was listed and would represent a 7.34% increase with the 25% part of the salary survey and a 6.5% COLA, and Budget 4 would be a 6% cap increase only and still could contain the 25% salary survey and a 6.5% COLA if other cuts are made. This will need to be voted on in a special meeting before the July 3rd publishing deadline. Lastly, we had an executive session to discuss matters involving non-elected personnel to finish.

Also Tuesday afternoon we had the June Board of Directors meeting of the Manhattan Area Chamber of Commerce. Among the items for discussion were the Chamber's Accreditation Report from the US Chamber of Commerce that gave them the coveted 5 Star rating, making them one of five Kansas Chambers with that honor. The upcoming Board Retreat that is coming this Fall (October most likely) was also discussed that will be in Kansas City more details to follow. Got a tiered membership account update from staff and two rezoning requests (Frontier Properties and Midwest Concrete Materials) were talked about and endorsed before Tuesday's City Commission meeting. Several board members spoke, including myself, reminding everyone of the current community survey that is in place on the possible move to the 4-10-hour days for the county. Other staff gave updates on what they are working on as well.

Wednesday afternoon I attended the Established Business Leaders After Hours Social hosted by the Manhattan Area Chamber of Commerce out at the Liquid Arts Winery. The guest speaker was Aaron Stewart, the new Park and Recreation Director for the City of Manhattan. It was good to catch up with some people I know and to meet some new business leaders from the community as well.

Also Wednesday night I attended the City Council meeting over in Ogden. It had been a while since I met up with them. I gave them an update on all that we are working on and several items that were pertinent to the city as well. They passed an interlocal agreement with the Flint Hill MPO to help them facilitate the application and planning of the Safe Streets for All program, and I'm working on getting some support letters from members of our federal delegation and hopefully from Riley County as well.

On a positive note, Governor Laura Kelly has announced that the National Telecommunications Information and Administration (NTIA) has awarded the Kansas Office of Broadband Development nearly 43

million to develop infrastructure key to expanding affordable high-speed internet to remote and underserved communities. The open-access “middle mile” infrastructure will connect local internet networks, primarily in rural areas to major, high-capacity national and regional networks.

McKinley's Comments:

Last Thursday I joined a Zoom meeting organized by Representative Tiahrt about military installations being required to pay PILT's. It was an informative meeting and I hope he can succeed with this.

Later Thursday I attended the City/County/County meeting and heard from Evergy about proposed new power lines in the area.

I spent most of the day Tuesday at the Public Works building. In the morning I attended the monthly safety meeting. The speaker was Vivienne Leyva and she spoke about dealing with First Amendment Auditors. She discussed how to deal with them and showed some of the videos they have posted. Interesting that one noxious weed sprayer had been stopped by someone several years ago. They were not auditors but complained that he was killing the wildflowers. He explained the weeds that had to be sprayed and why. He handled it very well.

The rest of the day was meeting on the new public safety building. The morning was discussing the exterior design and the afternoon was looking at the mechanical and electrical systems.

Yesterday was the North Central Kansas Regional Juvenile Detention Facility meeting. We met at the Brookville hotel, and they served us lunch after the meeting. We approved the budget for 2024. The school district had asked for payment for the teachers they use, but it was pointed out that there are several state programs that pay the district for this, and we should not have to pay. The director brought up again about membership at Genesis for the staff. It was shut down completely.

Business Meeting

3. Elections Systems & Software (ES&S) Contract

Move to approve the Sales Order Agreement and Contractual Provisions Attachment with Election Systems & Software, LLC (ES&S).

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

4. Pottawatomie County Resource Request to Use Patient Hauler

Move to approve the Pottawatomie County resource request to use patient hauler.

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

5. Flat Rock Road Culvert Replacement Project- Bid Recommendation

Move to approve the low bid submitted by Ebert Construction Co., Inc. of Wamego, Kansas for the Flat Rock Road culvert replacement in the amount of \$215,012.82.

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

6. Union Road Culvert Replacement Project- Bid Recommendation

Move to approve the low bid submitted by Reece Construction Co., Inc. of Salina, Kansas for the Union Road culvert replacement project in the amount of \$199,790.16.

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

7. Sign a Tax Roll Correction

Burson stated the adjustment was due to extensive damage.

Move to approve the Tax Roll Correction.

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

8. Sign Riley County Personnel Action Form(s)

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

- Ben Hamill, a new hire, as an Environmental Health Tech, in the Planning & Development Department, at a Range 13, at \$29.46 per hour.
- Mason Schmitz, a new hire, as an As Needed Volunteer Firefighter Stipend, in the Fire District #1 Department, at a Range TASND.
- Ely Peck, a new hire, as an As Needed Volunteer Firefighter Stipend, in the Fire District #1 Department, at a Range TASND.
- Ankia Nyp, a new hire, as an Appraisal Clerical Assistant, in the Appraiser's Department, at a Range TASND, at \$15.00 per hour.
- Gina Palmero-Muir, a Health Equity Nurse, in the Health Department, for Separation from County Service, effective June 13, 2023.
- Antonio Mitchell, a Traffic Control Technician, in the Public Works Department, for Separation from County Service, effective June 12, 2023.

Review Minutes

9. Board of Riley County Commissioners - Regular Meeting - Jun 15, 2023 9:00 AM

Move to approve the minutes.

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

Review Tentative Agenda

10. Tentative Agenda

June 29th meeting in Leonardville have David Adams present update on North County Ambulance Facility and timelines.

Press Conference Topics

11. Discuss Press Conference

9:00 AM Rich Vargo, County Clerk

12. 2022 General Fund Cash Balance

Move to approve the following:

- transfer \$1,894,349.79 to the CIP fund to assist with the cost of the North County EMS/Ambulance Facility, the New EMS/Ambulance Facility and the renovation of the Old EMS/Ambulance Facility for Riley County Fire District #1/Emergency Management
- transfer \$950,000 to the County General Fund-Budget Stabilization Line item for 2023. This will also decrease the need for a larger transfer in the 2024 budget process.
- transfer \$3,000,000 to the Capital Improvement Fund for future equipment, infrastructure and building needs. This will also decrease the need for a larger transfer in the 2024 budget process.

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

9:15 AM Clancy Holeman, Counselor/Director of Administrative Services

13. Administrative Work Session

14. Review and Approve for Publication RFP and Contract for Indigent Legal Services

Holeman presented the RFP for the Indigent Contract.

Ford said he would prefer to forego the application and interview process this time.

The Board agreed by consensus.

Move the Board to approve the form of the RFP and contract as presented.

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

9:35 AM

Craig Cox, Deputy County Counselor

15. Tax foreclosure auction - City of Ogden Possible Purchase of River Trail Holdings, LLC lots and court costs.

Cox discussed the request from Ogden to waive fees for the lots they want to purchase at the tax sale auction.

The Board discussed the request.

McKinley discussed concerns with setting a precedent. McKinley stated the City of Manhattan has purchased lots in the past.

Irvine stated the lots are designed and purposed for residential use.

Focke said she would be cautionary to not replace them with what is there now. Focke stated the current units do not look good.

Irvine agreed and said they have been talking with developers.

McKinley suggested coming up with a number in between.

Focke stated we should follow the order of the court for the 9 lots.

Move to approve the City of Ogden pay the court costs as eight 9- lot units and one individual lot (Item # 61) in the amount of \$1,485.00.

RESULT:	ADOPTED [2 TO 1]
MOVER:	Greg McKinley, County Commissioner
SECONDER:	Kathryn Focke, County Commissioner
AYES:	Focke, McKinley
NAYS:	Ford

9:55 AM

Gary Fike, County Extension Director

16. 2024 Extension Budget Request

Fike presented the 2024 Extension appropriation request.

Fike stated the State increased their appropriation less than 3%.

Fike said Extension gets the bulk of their funding from Riley County.

10:05 AM Vivienne Leyva, PIO

17. June 2023 Communications Update

Leyva presented the June 2023 PIO Communications update.

10:20 AM Bob Isaac, Planner

18. Replat Lots 15, 16, 17 and 18, Block 3, Lakeside Heights, into a single lot.

Isaac presented the Lakeside Heights Unit 6 plat.

Move to approve "Resolution No. 062223-30, A Resolution approving the Lakeside Heights Unit 6 plat and accepting the street rights of way, easements and licenses as shown to be dedicated on said plat," as it was determined that all the requirements of the Riley County Land Development Regulations and the Sanitary Code have been met.

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

10:35 AM Bob Isaac, Planner

19. Replat Lot 1, Walnut Grove, together with a portion of a contiguous unplatted tract and amend the existing Residential Use Designator-Extraneous Farmstead.

Isaac presented Walnut Grove Unit 2 final plat.

Move to approve "Resolution No. 062223-31, A Resolution approving the Walnut Grove Unit 2 plat and accepting the street rights of way, easements, and licenses as shown to be dedicated on the said plat," as it was determined that all the requirements of the Riley County Land Development Regulations, Articles 26-5, 26-8 and 26-9 of the Manhattan Development Code and the Riley County Sanitary Code have been met.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Ford, County Commissioner

SECONDER:	Greg McKinley, County Commissioner
AYES:	Ford, Focke, McKinley

Vargo presented the Lease with Jeff Schurle for the Wildcat Creek Park parking lot.

Move to approve the Lease with Jeff Schurle for the Wildcat Creek Park parking lot.

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

10:50 AM Amanda Webb, Planning/Special Projects Director

20. Comprehensive plan update

Webb presented the Comprehensive Plan update.

11:10 AM Shilo Heger, Treasurer

21. May 2023 Revenue Reporting - Riley County Treasurer

Heger presented the May Treasurer's Report.

11:25 AM Adjournment

Move to adjourn.

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