Board of Riley County Commissioners
Regular Meeting
Agenda
July 08, 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**

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Business Meeting

3. Highway Use Permit, WTC Communications, Inc.
4. Highway Use Permit, Evergy
5. Discuss Joint City/County/County Meeting Agenda

Review Minutes

6. Board of Riley County Commissioners - Regular Meeting - Jul 1, 2021 8:30 AM

Review Tentative Agenda

7. Tentative Agenda

Press Conference Topics

8. Discuss Press Conference

9:00 AM **Clancy Holeman, Counselor/Director of Administrative Services**

9. Administrative Work Session
10. Approval of KAC Legislative Request Forms
11. Possible Cancellation of Beer Sales at the Kaw Valley Rodeo During the 2021 Riley County Fair

9:20 AM **John Ellermann, Public Works Director/County Engineer**

12. First Christian Church Asbestos Abatement & Demolition

9:30 AM **Tami Robison, Budget and Finance Officer**

13. Fairmont Heights Sewer Funding Proposal

9:45 AM **Jason Smith, Manhattan Area Chamber of Commerce**

14. Economic development update

10:00 AM **Julie Gibbs, Health Department Director**

15. Riley County Health Department Monthly Update
16. Request to prohibit smoking in county parks.
17. Riley County Health Department Airport Testing Project Discussion

10:50 AM **Budget and Planning Committee - Tami Robison, Budget and Finance Officer**

18. Monthly Cash Flow Reports for June 2021

11:05 AM **Gary Rosewicz, Assistant County Engineer**

19. Request to Fill Solid Waste Operator II Position

11:10 AM **Amanda Smeller, Planning/Special Projects Director**

20. CDBG-CV Determination of Level of Review

11:20 AM **John Ellermann, Public Works Director/County Engineer**

21. Draft Sales Tax Presentation

11:40 AM **Tami Robison, Budget and Finance Officer**

22. 2022 Budget Work Session

Adjournment

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

PUBLIC WORKS
Permit

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

COMMISSION AGENDA REPORT

FROM: **Shannon Sterling, Administrative Assistant**

MEETING: **July 8, 2021**

SUBJECT: **Highway Use Permit, WTC Communications, Inc.**

PRESENTER: **John Ellermann, PE, Director of Public Works**

BACKGROUND

WTC Communications, Inc. is requesting permission to work in the right of way to bore and plow new fiber optic cable along multiple roads in the Zeandale area.

RECOMMENDATION(S)

Staff recommends approval of the Highway Use Permit as presented.

POSSIBLE MOTION(S)

Move to approve the Highway Use Permit granting WTC Communications, Inc. permission to complete the work as outlined in the Permit.

Enclosures:
- 06.11.21_WTC_new fiber optic cable (PDF)

Permit No. __________

APPLICATION FOR HIGHWAY USE PERMIT
Riley County, Kansas

WTC Communications Inc — Applicant Name
New Fiber Optic Cable — Type of Construction

1009 Lincoln Ave PO Box 25 — Applicant Mailing Address
Wamego — City
KS — State
66547 — Zip

Applicant hereby requests permission to bore/plow fiber optic cable along and/or across the public roads of Riley County, Kansas, according to the details and route shown on the attached plans and standards for said construction.

A $100 Application Fee and a detailed map of location (include an aerial when possible) are required.

In support of its application, the Applicant states it is in the best interest of the residents of Riley County to allow construction of said facility. In addition, Applicant agrees as follows:

A. Facility shall be installed in conformance with all items on approved plans, pertinent national codes/standards and the Riley County Highway Use Permit Requirements and Procedures. Any request for variance shall be an addendum to this application. Any utility sharing facilities with another entity is required to obtain a seperate Highway Use Permit for their installation.

B. A refundable deposit as specified in the Riley County Highway Use Permit Requirements and Procedures, made payable to Riley County, Kansas, shall accompany this application to guarantee satisfactory performance of the conditions of this permit.

C. The County Engineer and/or the Township Trustee shall have the authority to require any needed repairs resulting from such construction in the road right-of-way for a period of one year from date of completed construction.

D. In the event of road improvement or maintenance within the right-of-way, the applicant or its assigns will be responsible for the relocation of the facility at no cost to riley County or the Township.

E. **Applicant shall notify the County Engineer at least 2 business days prior to the beginning of construction and upon completion of construction at 785-537-6330.**

F. It is understood, the work shall commence within three (3) months of the permit approval and be completed within thirty (30) days of the estimated duration of construction otherwise, the permit becomes null and void, unless an extension of time is approved.

G. Applicant further represents it shall comply with and abide by any rule, regulation or condition of the permit made by the County Engineer and/or the Township Trustee.

Submitted by: Andrew L. Boeckman — Submitter's signature
06/10/21 — Date

ANDREW L. BOECKMAN PLANT OPERATIONS MANAGER — Printed Name & Title

785.456.1026 — Submitter's Telephone Number
B Hull Construction — Contractor Name

aboeckman@wtcks.com — Submitter's Email Address
785-292-4858 — Contractor Telephone Number

6/21/21 — Proposed Date of Construction
6 months — Estimated Duration of Construction

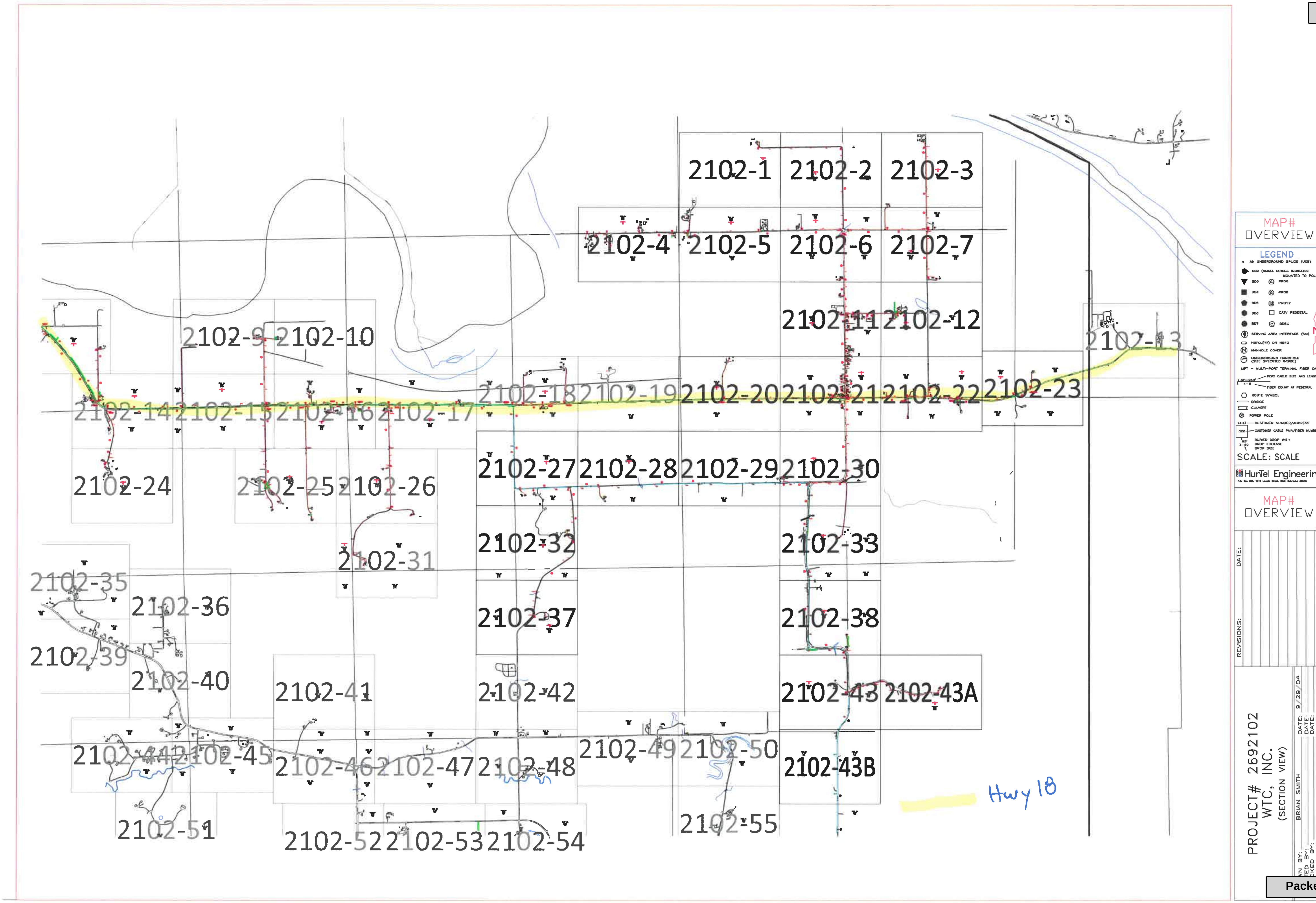
RECOMMENDED BY: John Ellermann — Riley County Engineer

Permit granted this ____ day of ____________________, 20_____.

BOARD OF COUNTY COMMISSIONERS
RILEY COUNTY, KANSAS

____
Chairperson

OFFICE USE ONLY:
Application Fee: $100.00
$1,000 Deposit ___ Bond ✓ Letter ✓
Receipt No. 012590 Date: 6-16-21
Signature: Shannon Sterling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2102-2
2102-3
2102-4
2102-5
2102-6
2102-7
2102-9
2102-10
2102-11
2102-12
2102-13
2102-14
2102-15
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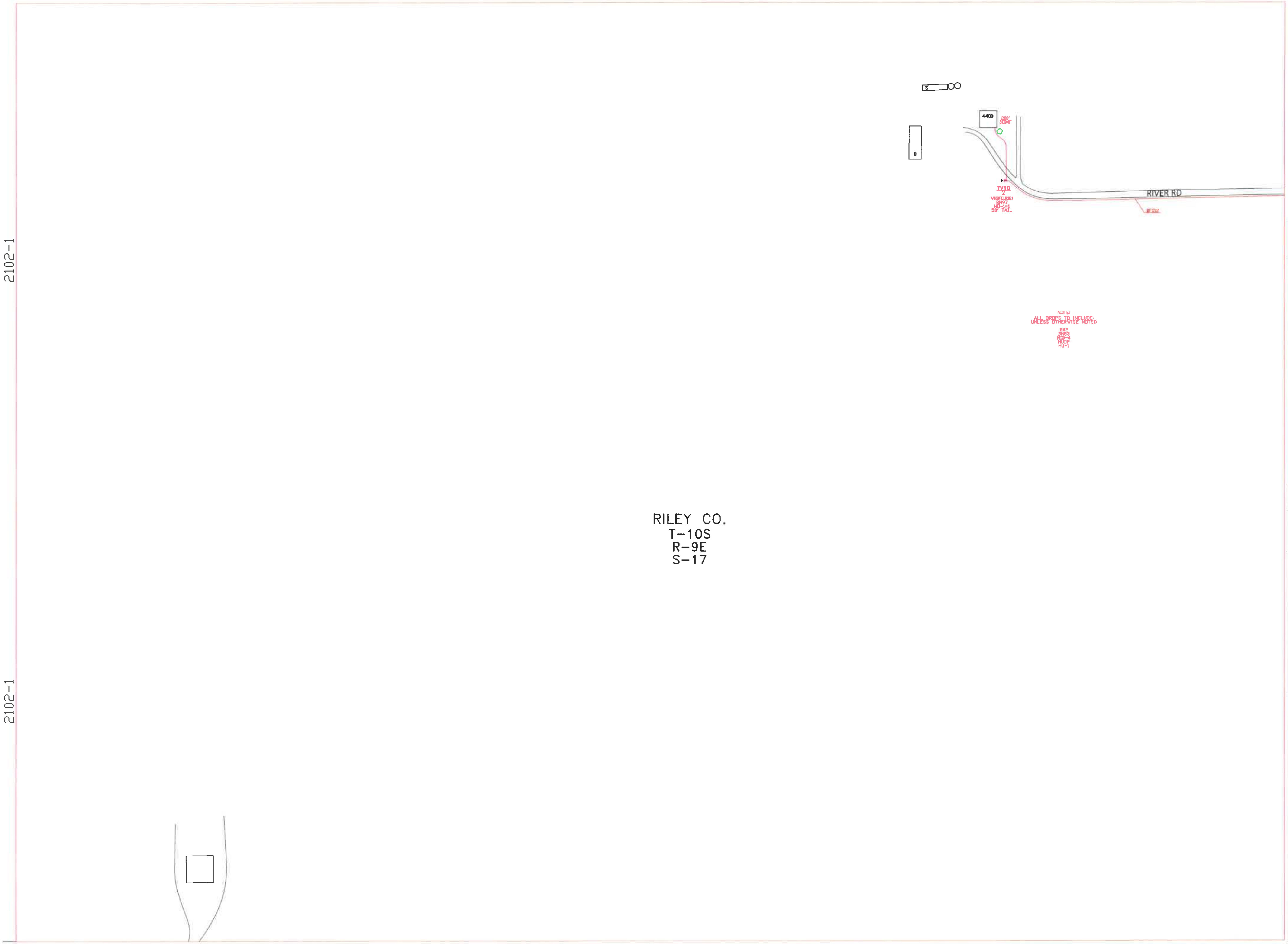
2102-36
2102-37
2102-38
2102-39
2102-40
2102-41
2102-42
2102-43
2102-43A
2102-43B
2102-44
2102-45
2102-46
2102-47
2102-48
2102-49
2102-50
2102-51
2102-52
2102-53
2102-54
2102-55
Hwy 18
MAP#
OVERVIEW
LEGEND
SCALE: SCALE
HunTel Engineering
MAP#
OVERVIEW
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
9/29/04



MAP#
2102-1

LEGEND

SCALE: 1" = 100'

HunTel Engineering

MAP#
2102-1

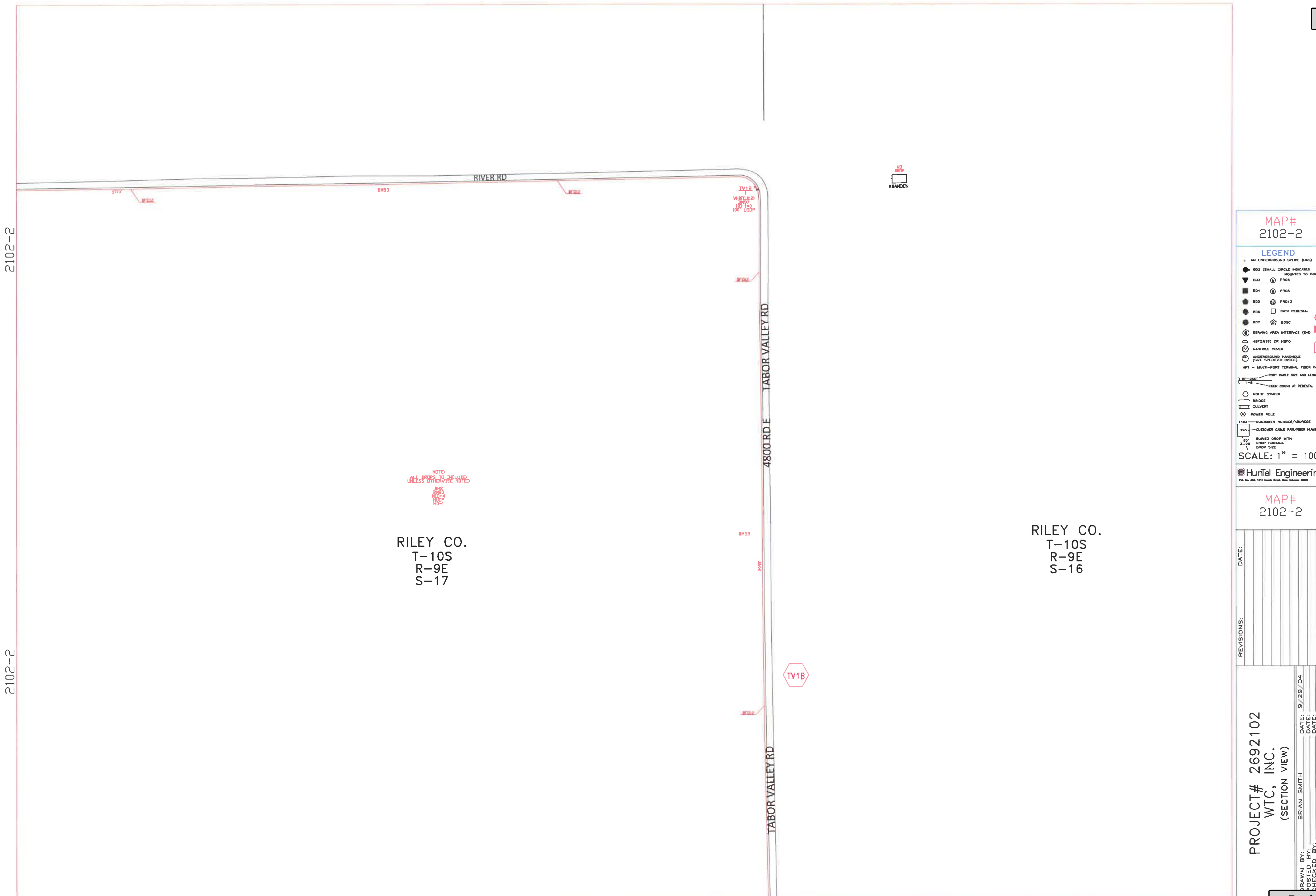
DATE:

REVISIONS:

PROJECT# 2692102
WTC, INC.
(SECTION VIEW)

DRAWN BY: BRIAN SMITH DATE: 9/29/04
POSTED BY: DATE:
CHECKED BY: DATE:
APPROVED BY: DATE:

Attachment: 06.11.21_WTC_new fiber optic cable (10945 : Highway Use Permit)



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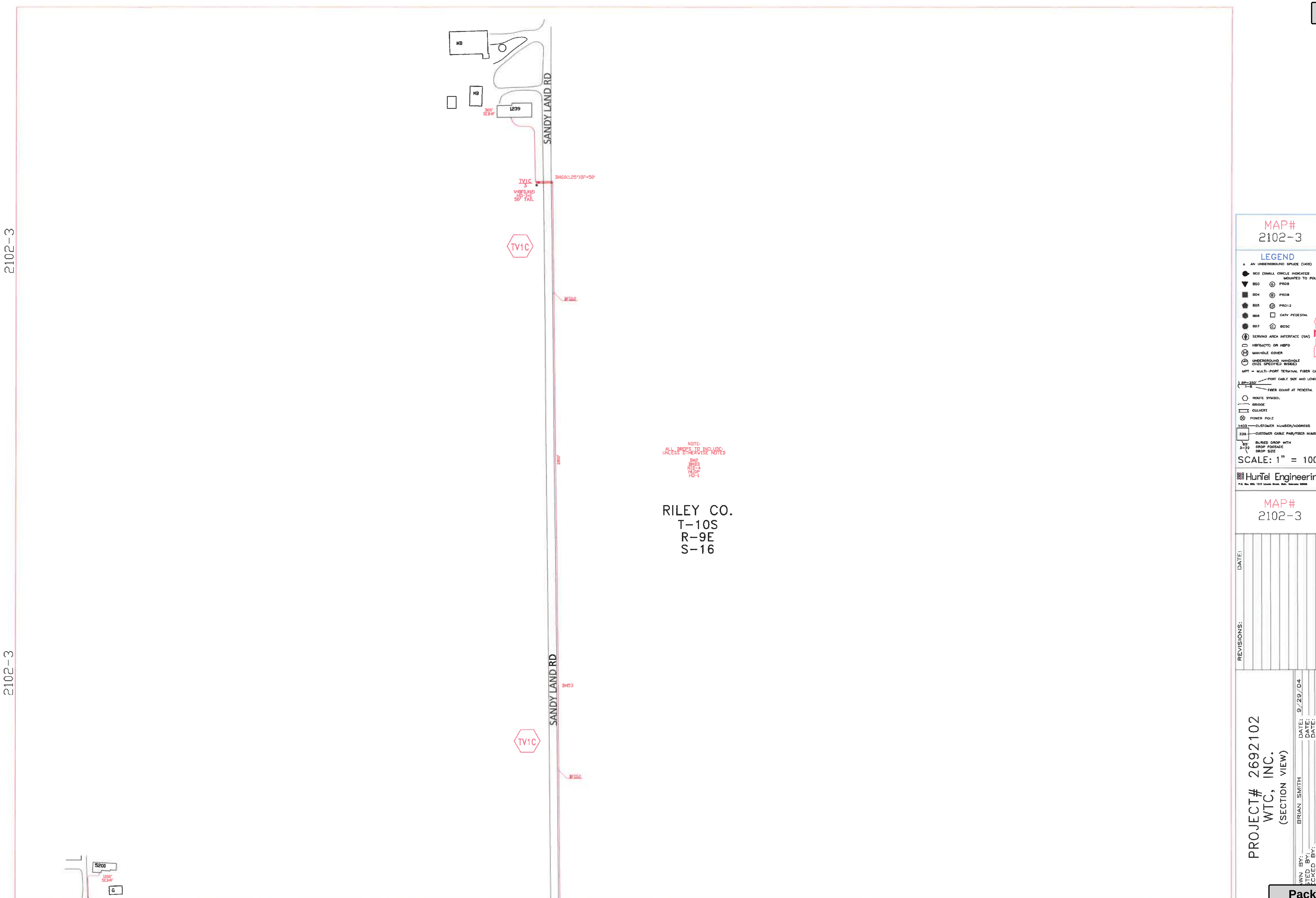

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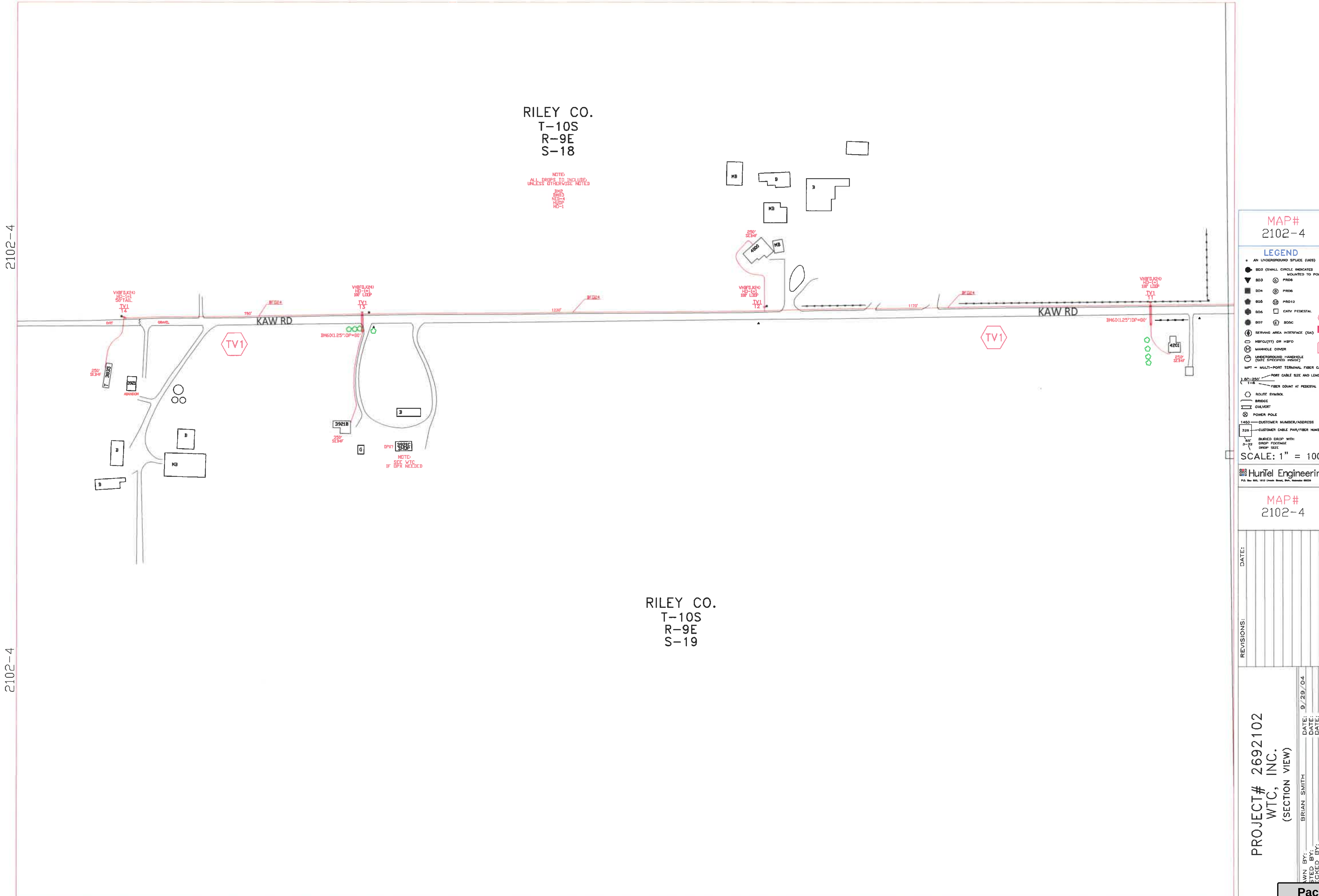
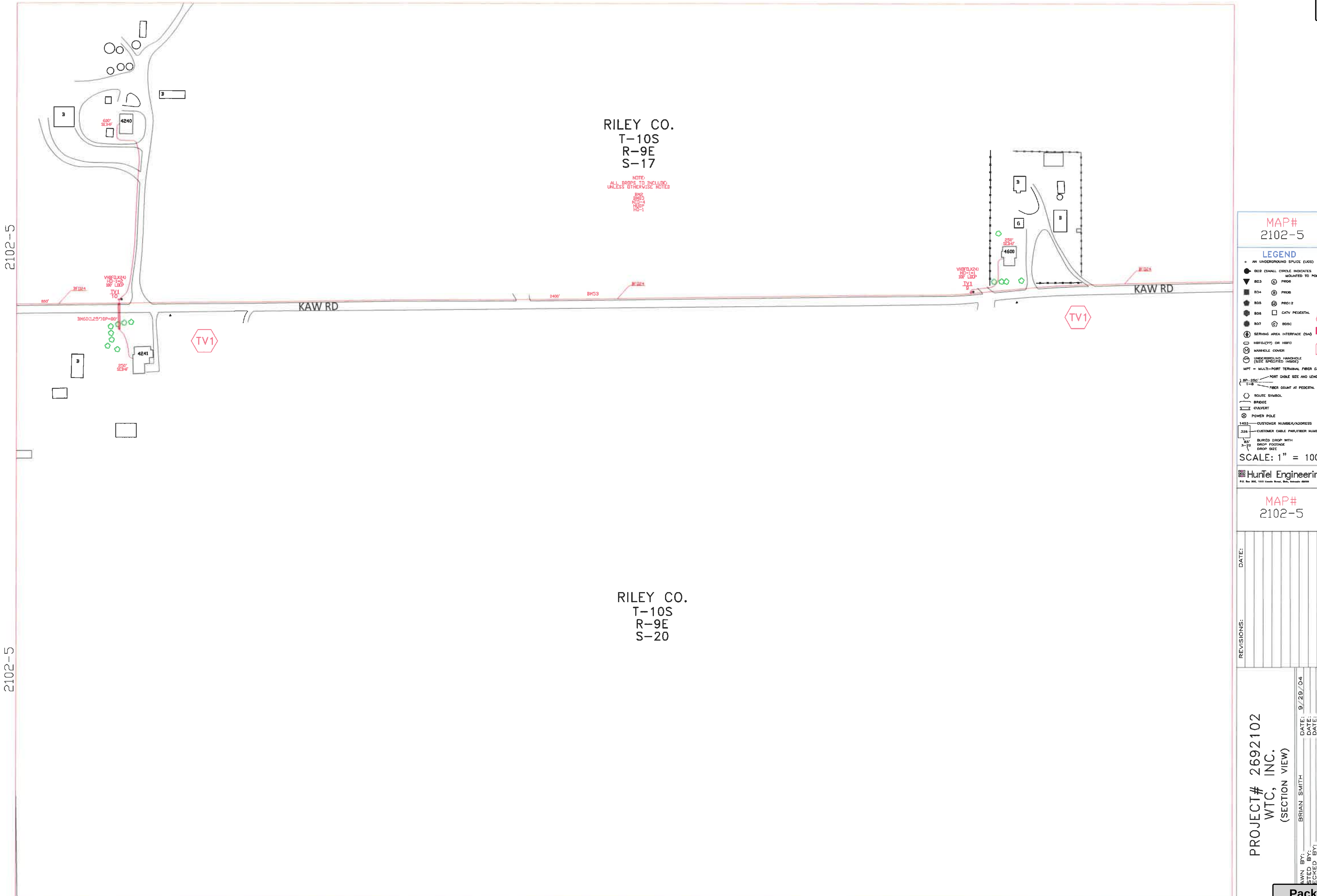
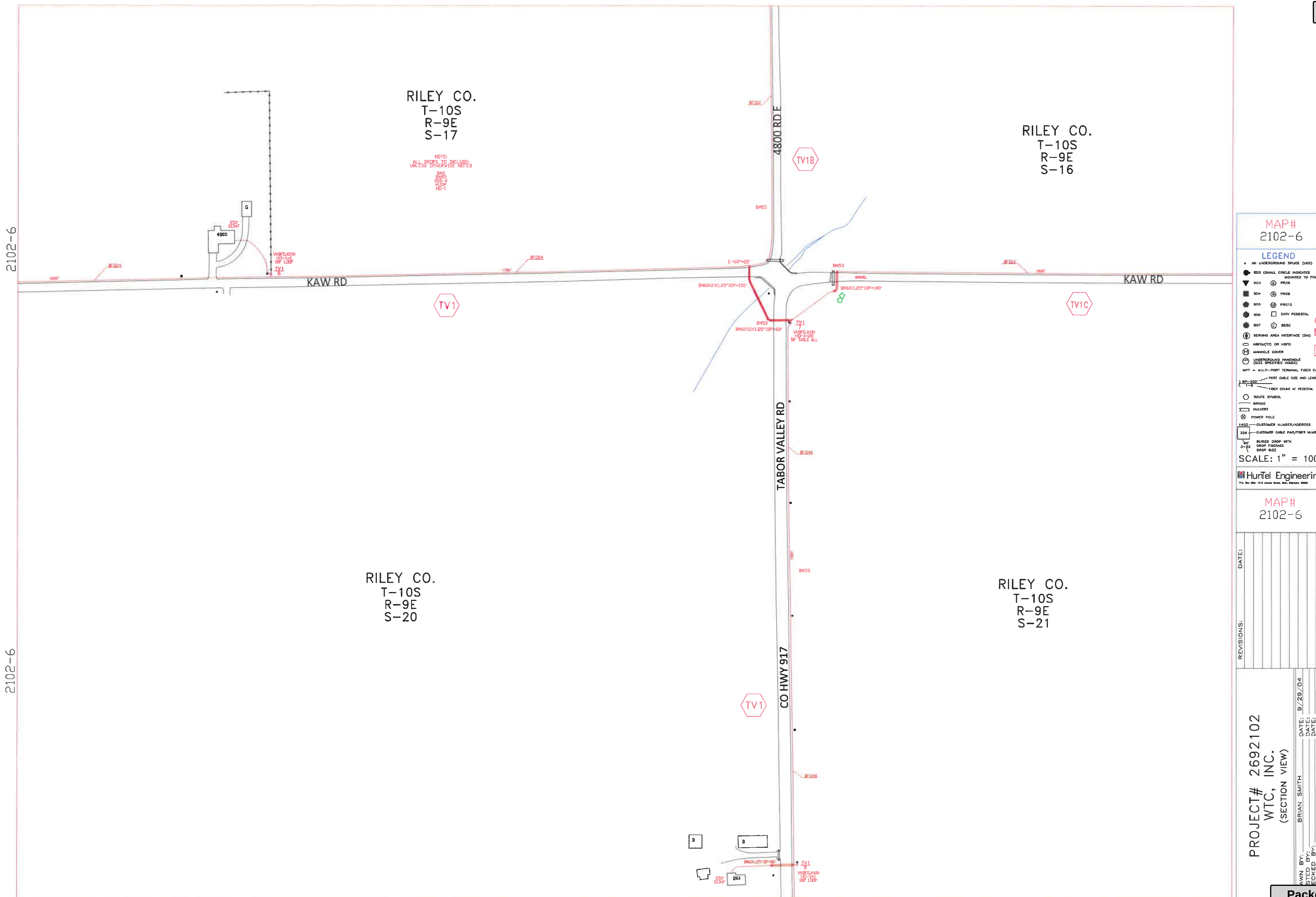


RILEY CO.
T-10S
R-9E
S-18
NOTE:
ALL DROPS TO INCLUDE:
UNLESS OTHERWISE NOTED
KAW RD
TV1
KAW RD
TV1
RILEY CO.
T-10S
R-9E
S-19
2102-4
2102-4
MAP#
2102-4
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-4
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
9/29/04


RILEY CO.
T-10S
R-9E
S-17
KAW RD
KAW RD
TV1
TV1
4240
4241
4600
2102-5
2102-5
RILEY CO.
T-10S
R-9E
S-20
MAP#
2102-5
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-5
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
DATE: 9/29/04



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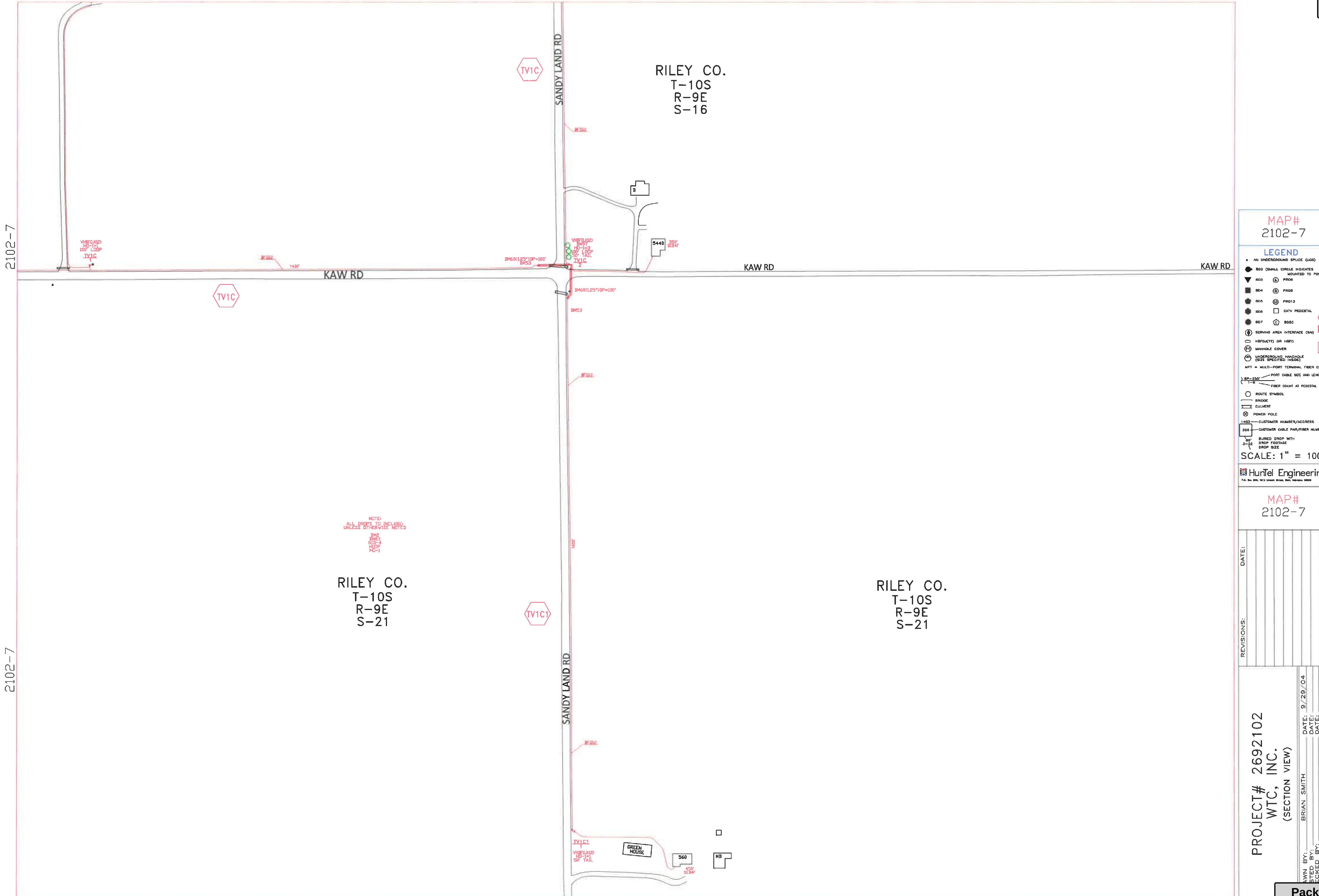

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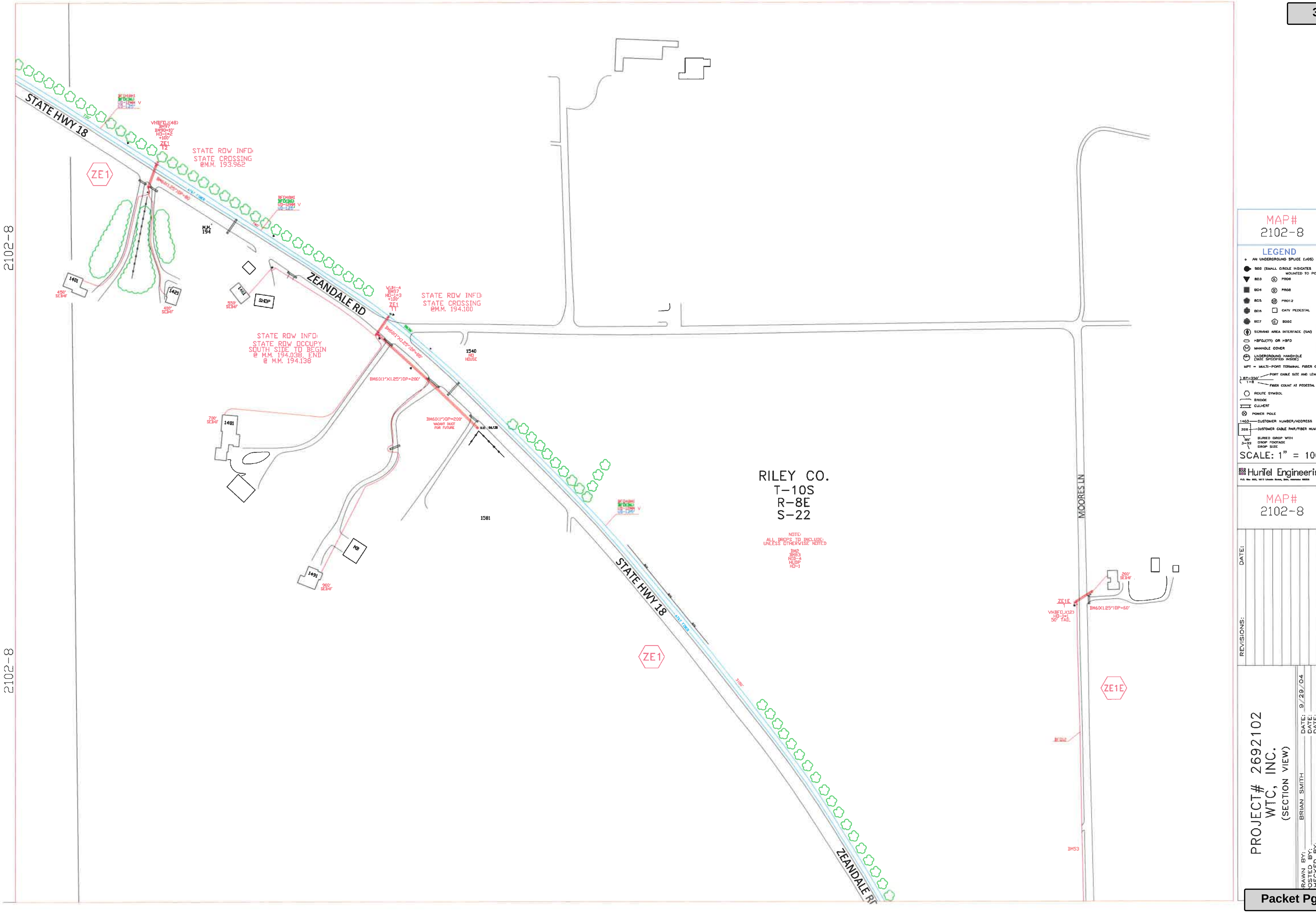

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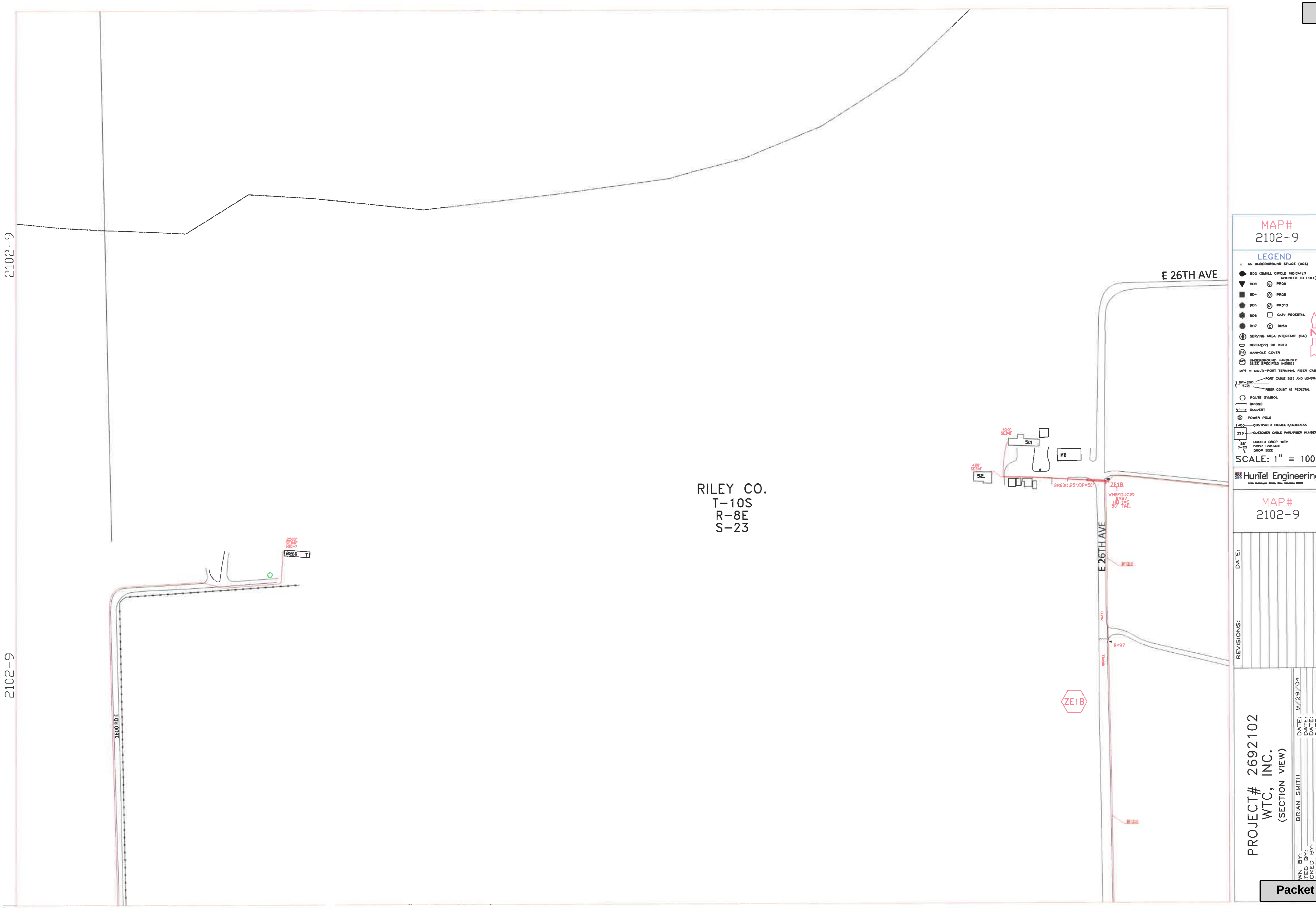

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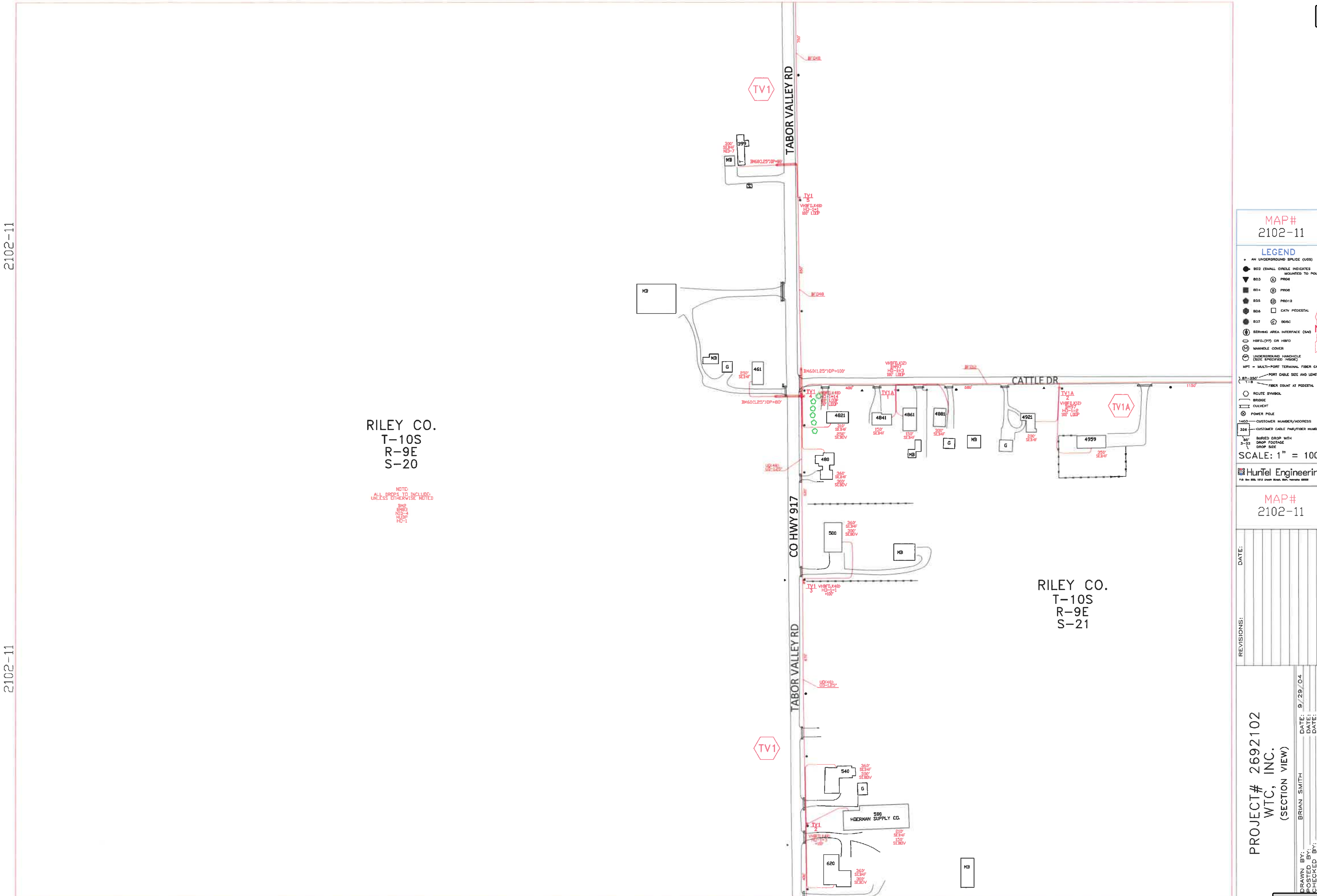

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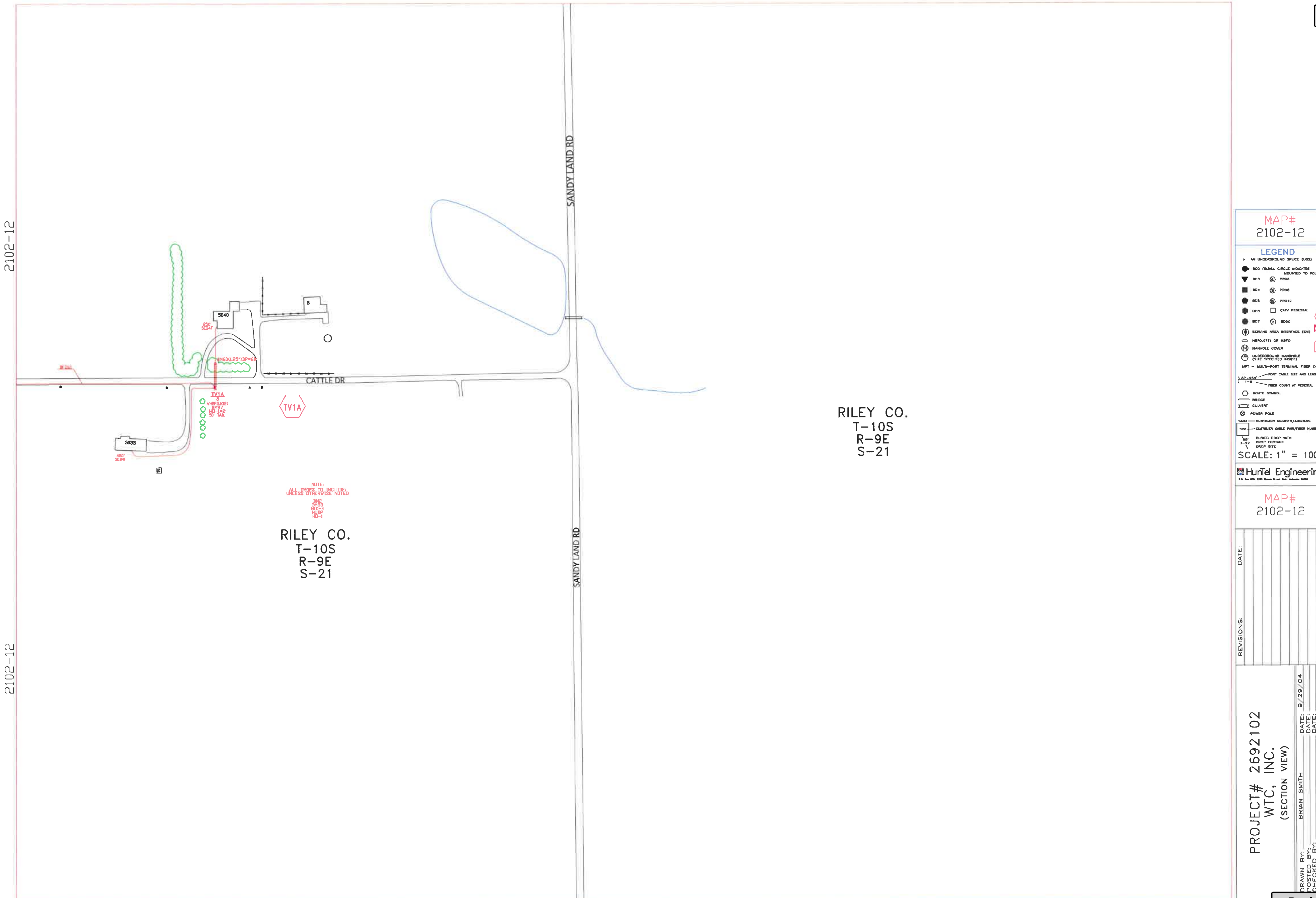

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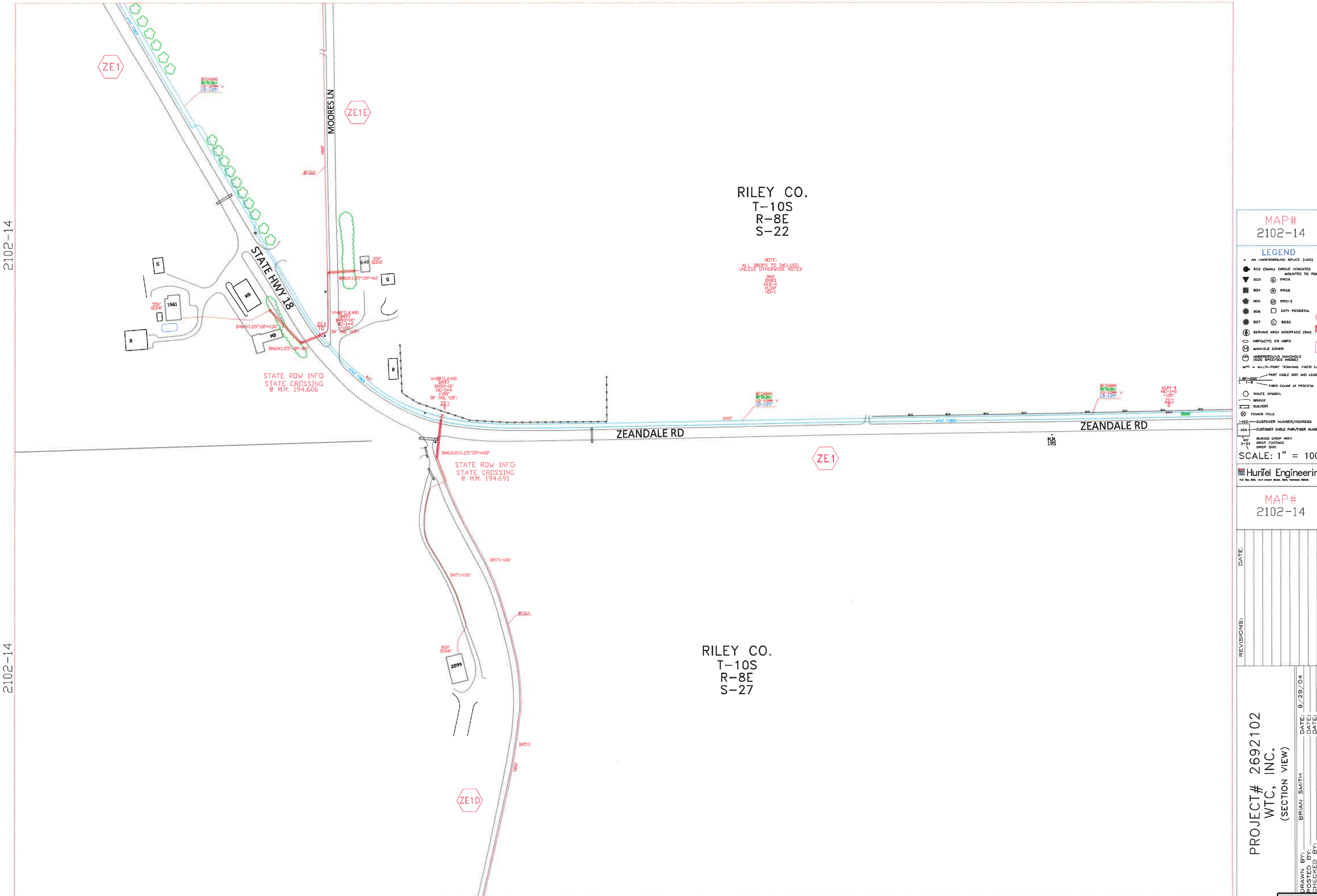

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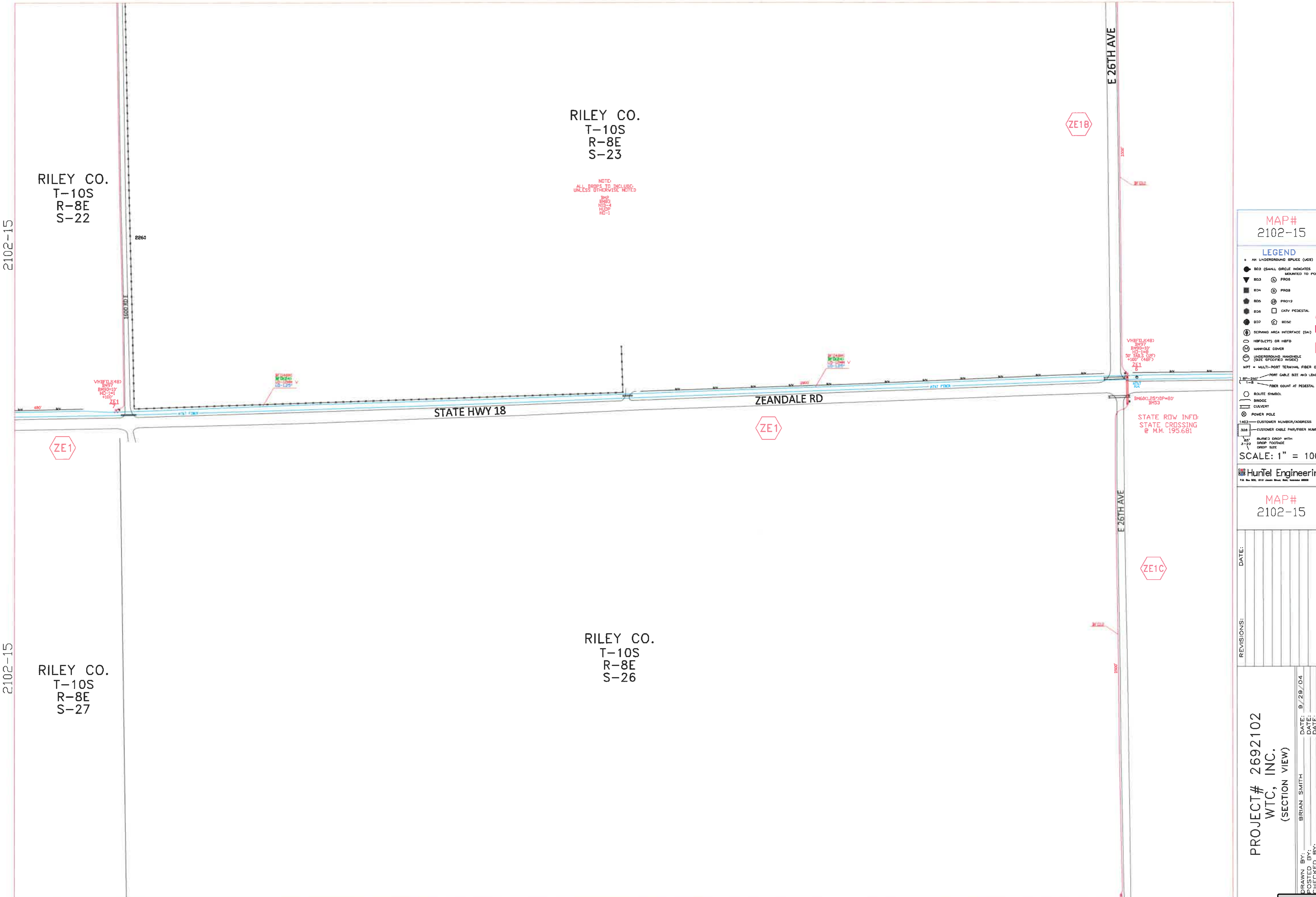
3.a



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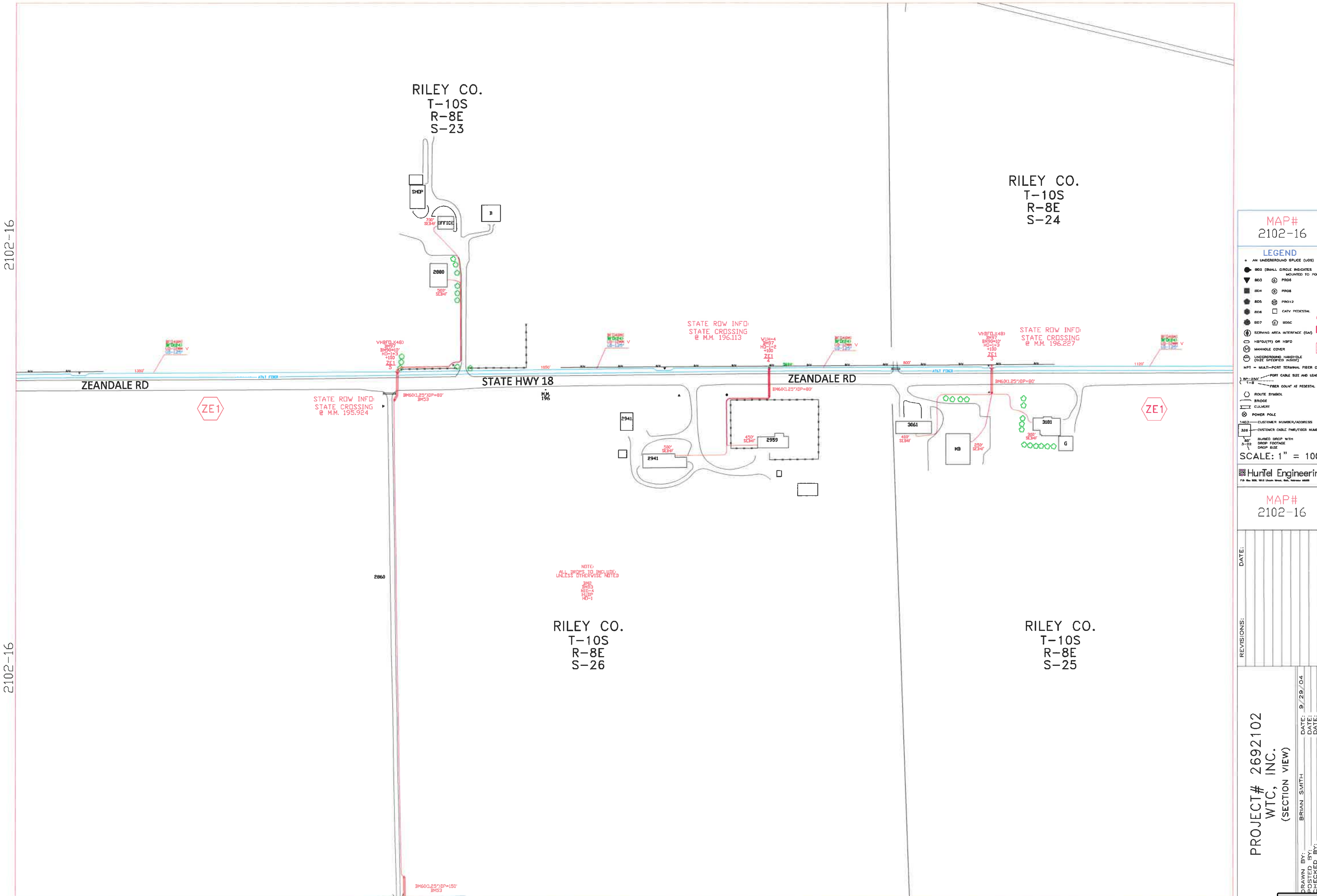

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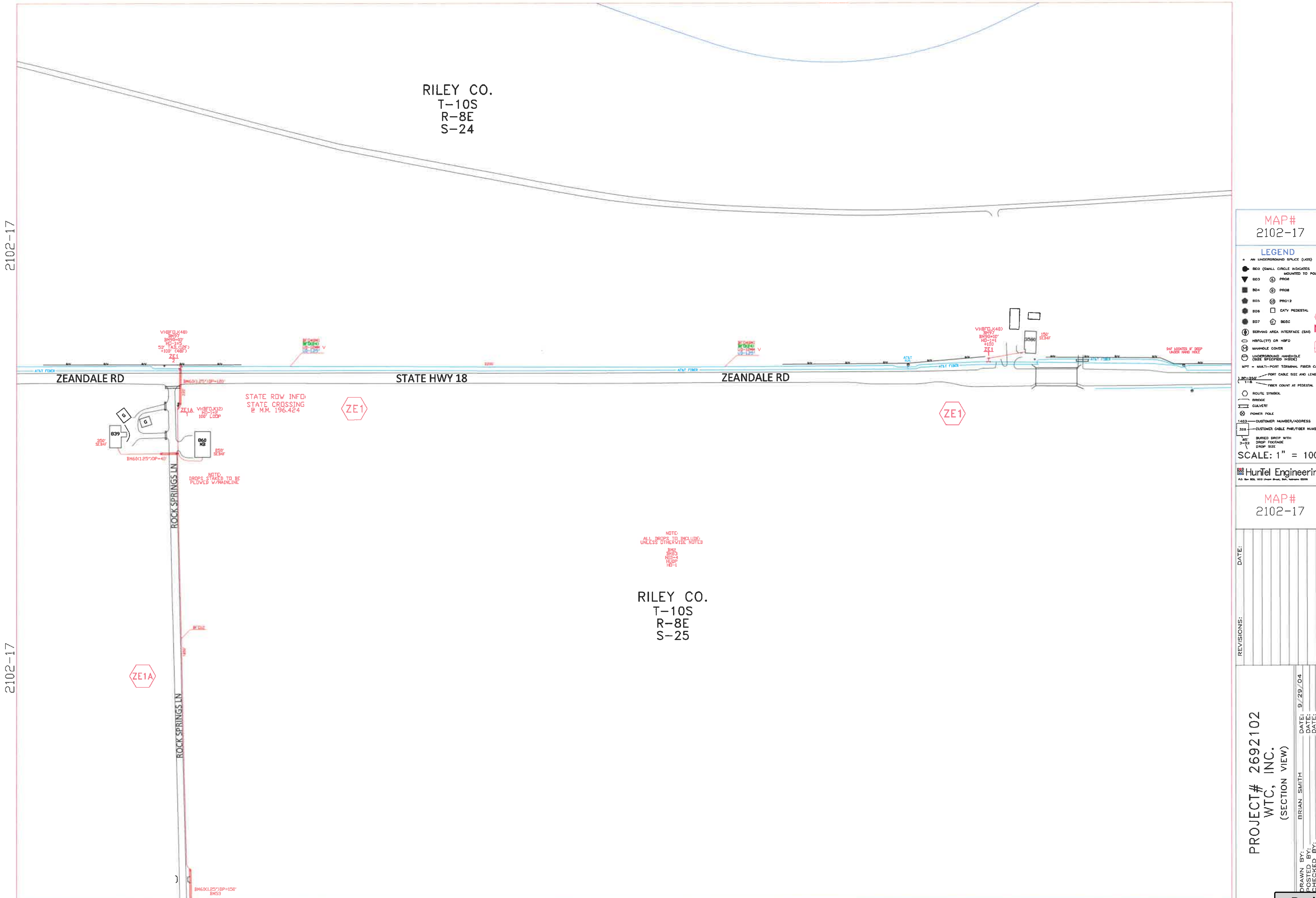
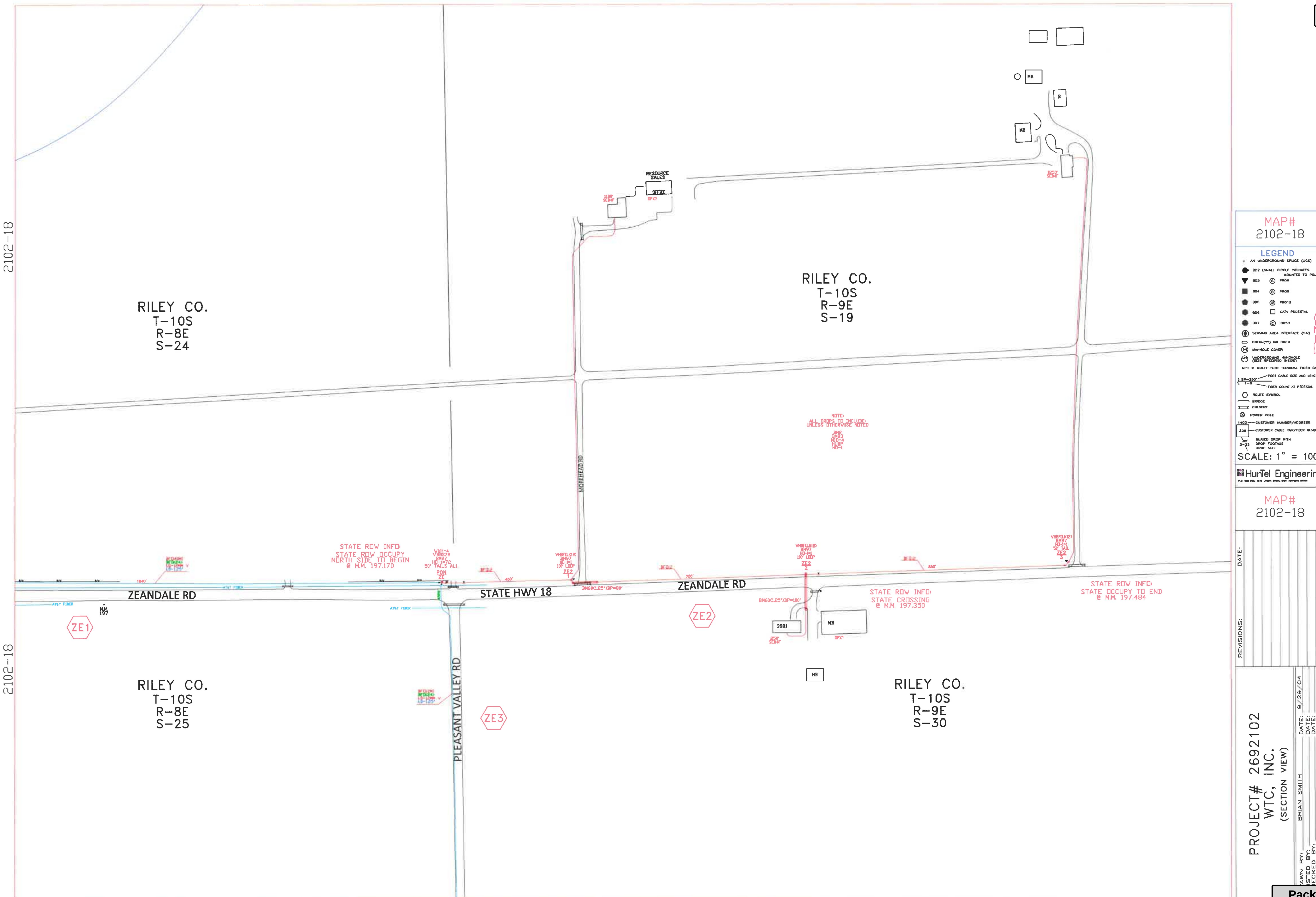

RILEY CO.
T-10S
R-8E
S-24
ZEANDALE RD
STATE HWY 18
ZEANDALE RD
STATE ROW INFO:
STATE CROSSING
@ M.M. 196.424
ZE1
ZE1
ZE1A
ROCK SPRINGS LN
ROCK SPRINGS LN
NOTE:
DROPS STAKED TO BE
PLOWED W/MAINLINE
RILEY CO.
T-10S
R-8E
S-25
2102-17
2102-17
MAP#
2102-17
LEGEND
AN UNDERGROUND SPLICE (UGS)
BD2 (SMALL CIRCLE INDICATES MOUNTED TO POLE)
BD3
PRO6
BD4
PRO8
BD5
PRO12
BD6
CATV PEDESTAL
BD7
BD5C
SERVING AREA INTERFACE (SAI)
HBFOJ(??) OR HBFO
MANHOLE COVER
UNDERGROUND HANDHOLE (SIZE SPECIFIED INSIDE)
MPT = MULTI-PORT TERMINAL FIBER CABLE
PORT CABLE SIZE AND LENGTH
FIBER COUNT AT PEDESTAL
ROUTE SYMBOL
BRIDGE
CULVERT
POWER POLE
CUSTOMER NUMBER/ADDRESS
CUSTOMER CABLE PAIR/FIBER NUMBER
BURIED DROP WITH
DROP FOOTAGE
DROP SIZE
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-17
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
DRAWN BY: BRIAN SMITH
DATE: 9/29/04
POSTED BY:
DATE:
CHECKED BY:
DATE:
APPROVED BY:
DATE:



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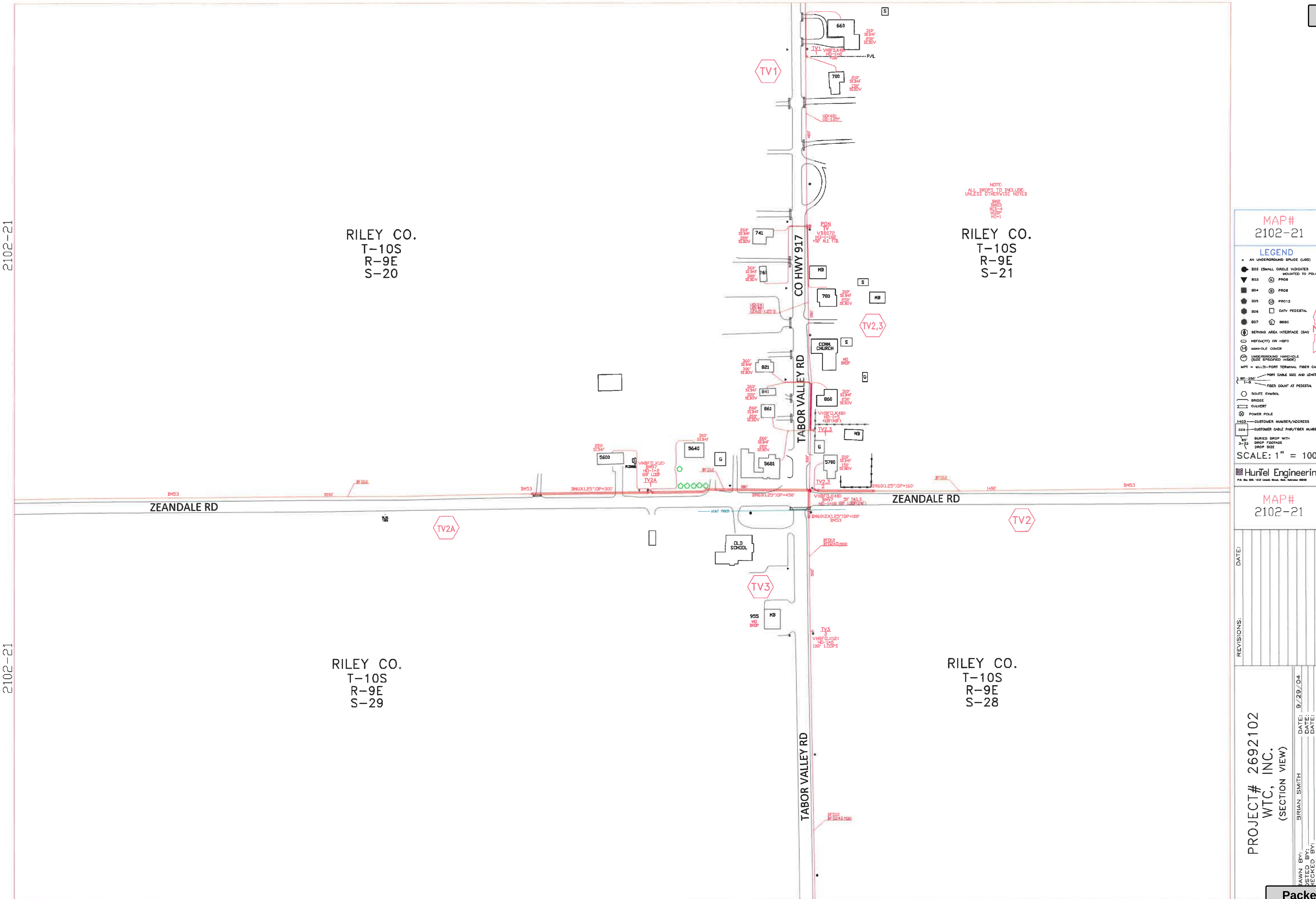
RILEY CO.
T-10S
R-9E
S-20
RILEY CO.
T-10S
R-9E
S-21
RILEY CO.
T-10S
R-9E
S-29
RILEY CO.
T-10S
R-9E
S-28
2102-21
2102-21
CO HWY 917
TABOR VALLEY RD
TABOR VALLEY RD
ZEANDALE RD
ZEANDALE RD
TV1
TV2,3
TV2A
TV2
TV3
COMM. CHURCH
OLD SCHOOL
MAP#
2102-21
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-21
DATE:
REVISIONS:
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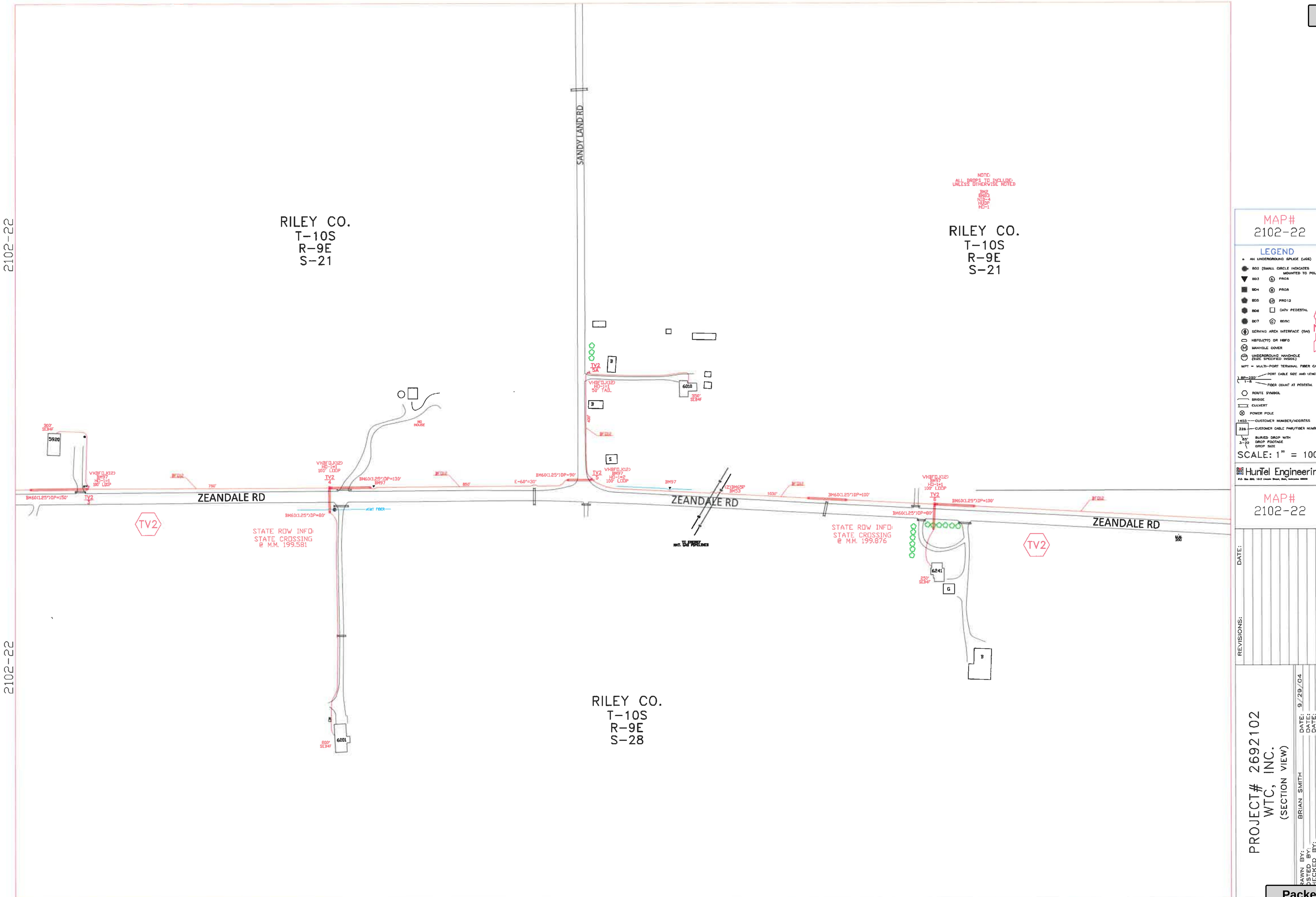
WTC, INC.
(SECTION VIEW)
DATE: 9/29/04
BRIAN SMITH



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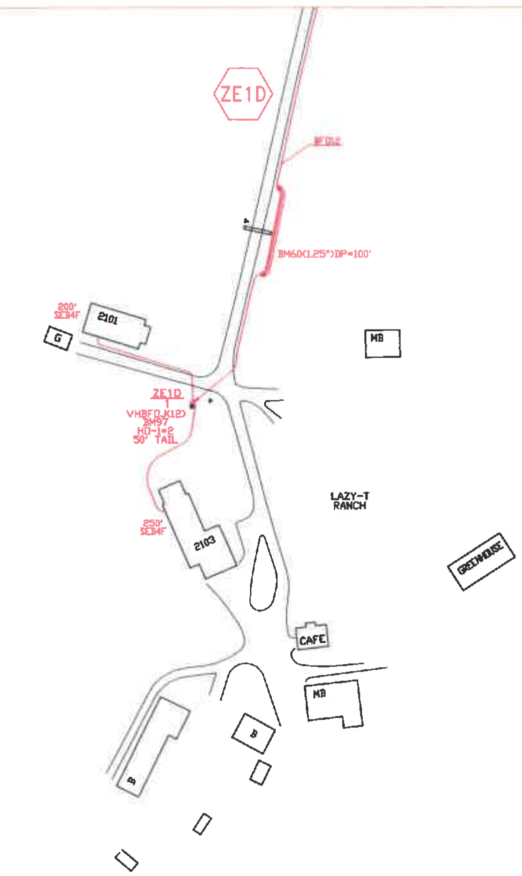
2102-24



NOTE:
ALL DROPS TO INCLUDE,
UNLESS OTHERWISE NOTED

RILEY CO.
T-10S
R-8E
S-27

2102-24

MAP#
2102-24

LEGEND

SCALE: 1" = 100'

HunTel Engineering

MAP#
2102-24

DATE:

REVISIONS:

PROJECT# 2692102
WTC, INC.
(SECTION VIEW)

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APPROVED BY: DATE:

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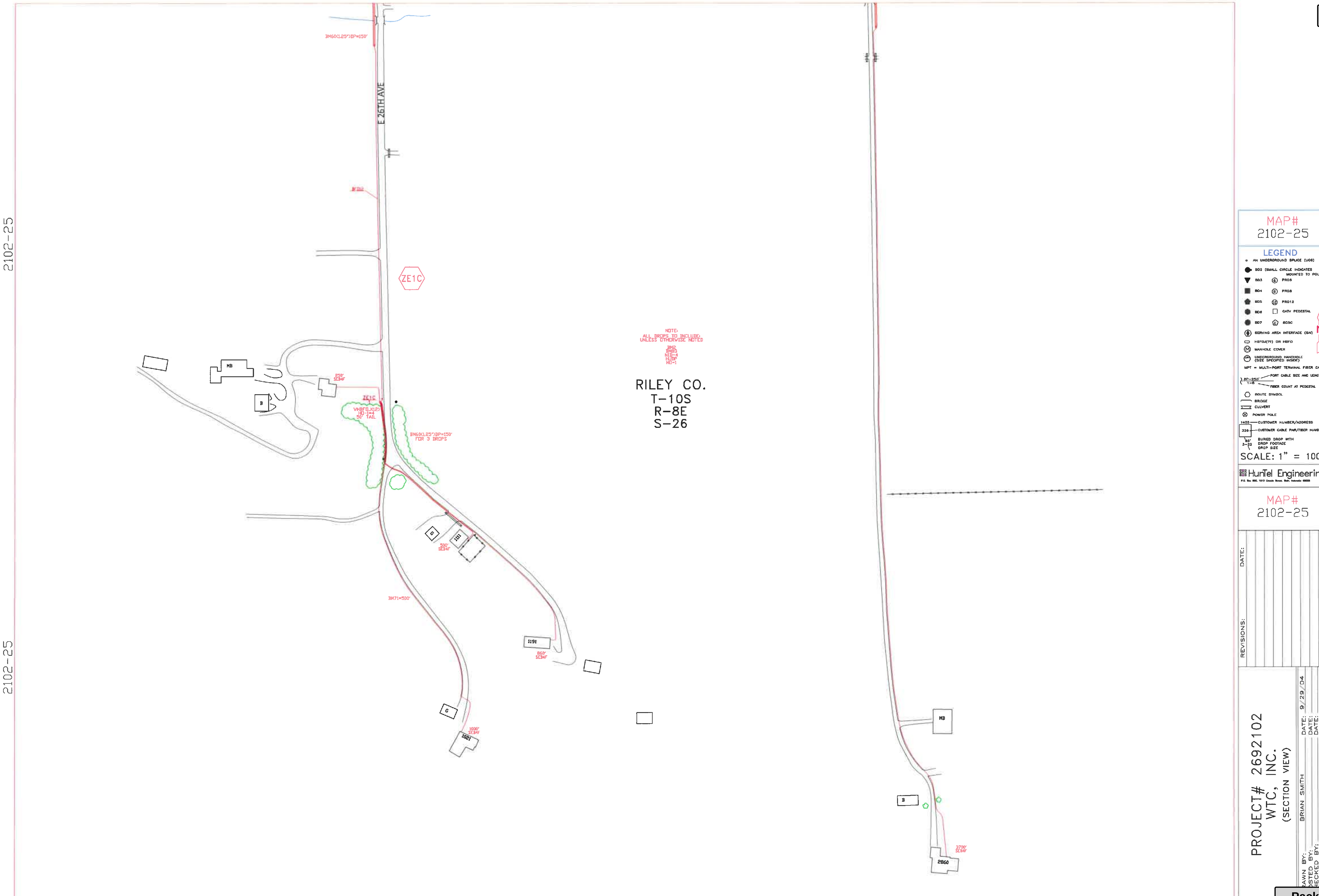
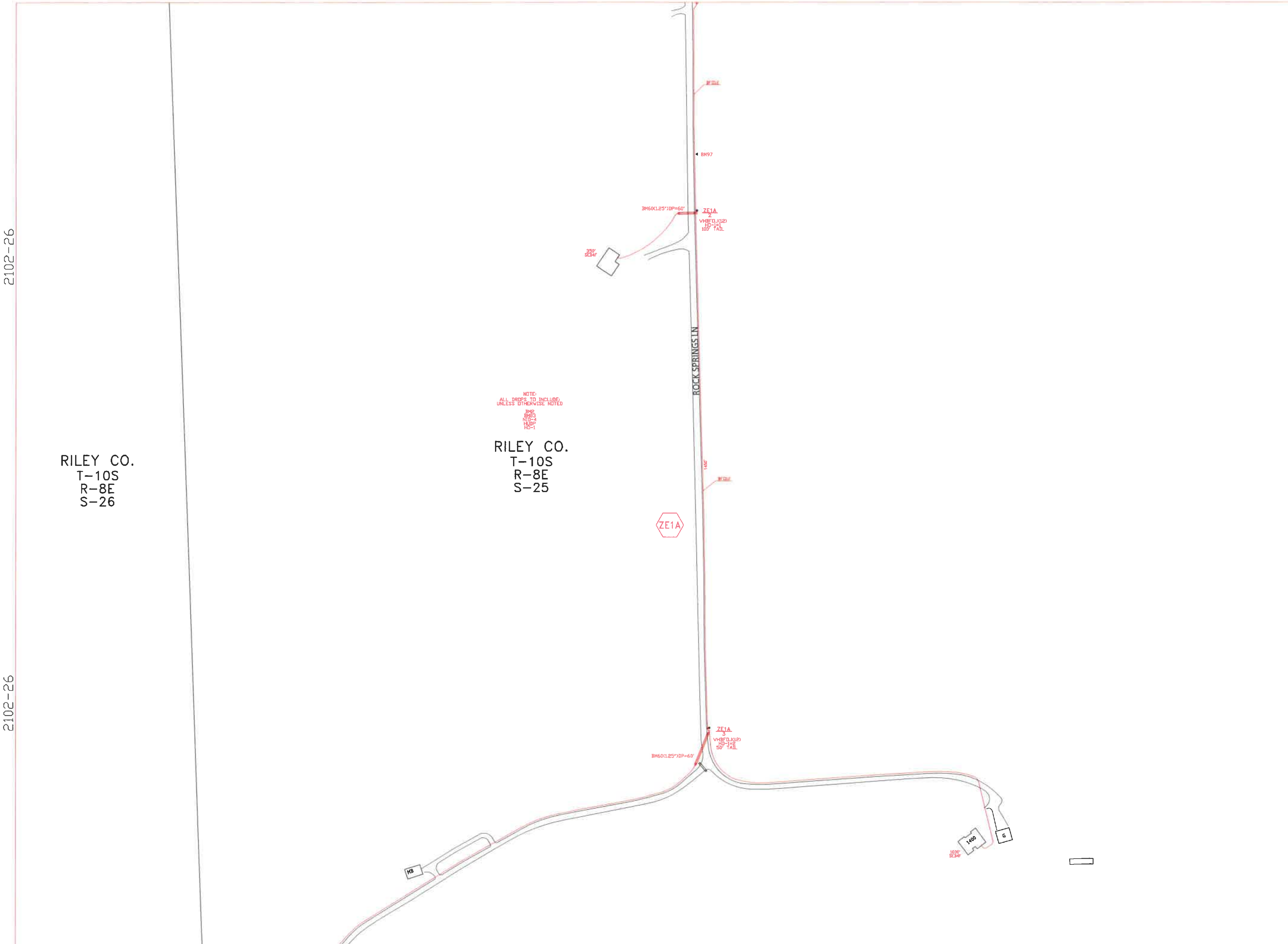

E 26TH AVE
ZE1C
NOTE:
ALL DROPS TO INCLUDE:
UNLESS OTHERWISE NOTED
RILEY CO.
T-10S
R-8E
S-26
2102-25
2102-25
MAP#
2102-25
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-25
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
9/29/04



MAP# 2102-26

LEGEND

SCALE: 1" = 100'

HunTel Engineering

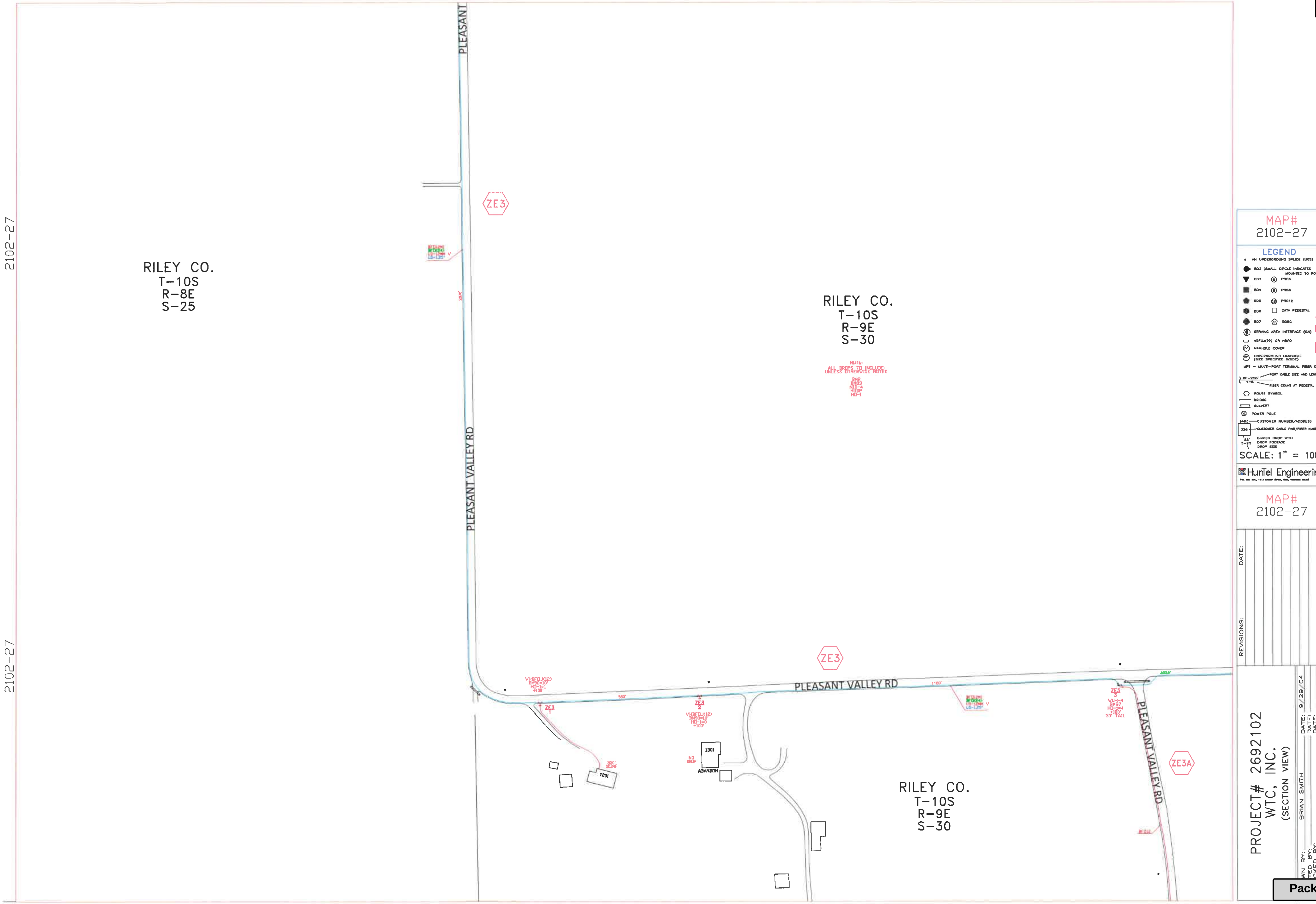
MAP# 2102-26

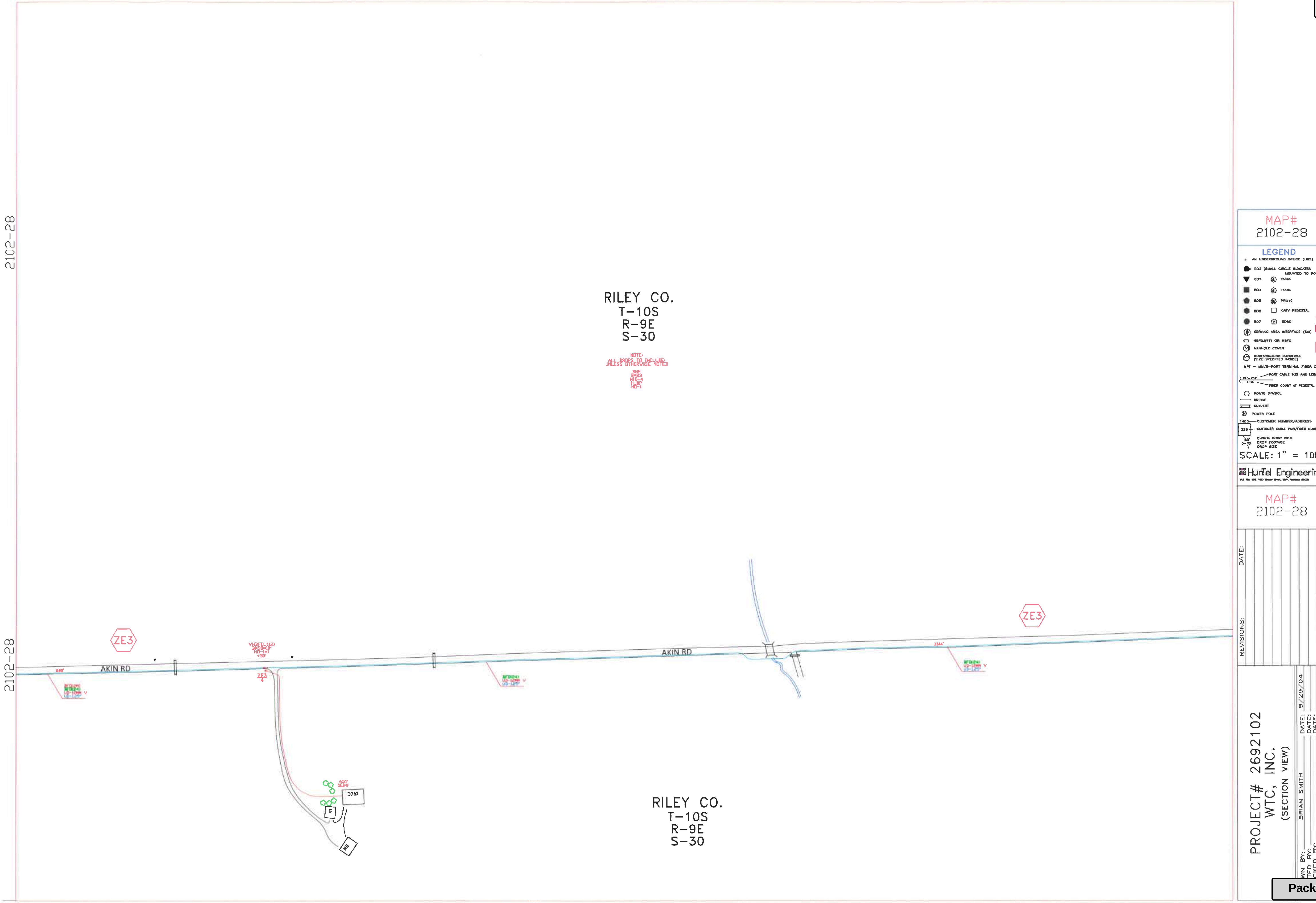
DATE:

REVISIONS:

PROJECT# 2692102
WTC, INC.
(SECTION VIEW)

DRAWN BY: BRIAN SMITH DATE: 9/29/04
POSTED BY: DATE:
CHECKED BY: DATE:
APPROVED BY: DATE:


PLEASANT
PLEASANT VALLEY RD
PLEASANT VALLEY RD
PLEASANT VALLEY RD
2102-27
2102-27
RILEY CO.
T-10S
R-8E
S-25
RILEY CO.
T-10S
R-9E
S-30
RILEY CO.
T-10S
R-9E
S-30
ZE3
ZE3
ZE3A
MAP#
2102-27
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-27
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
DATE: 9/29/04
DATE:
DATE:
DATE:



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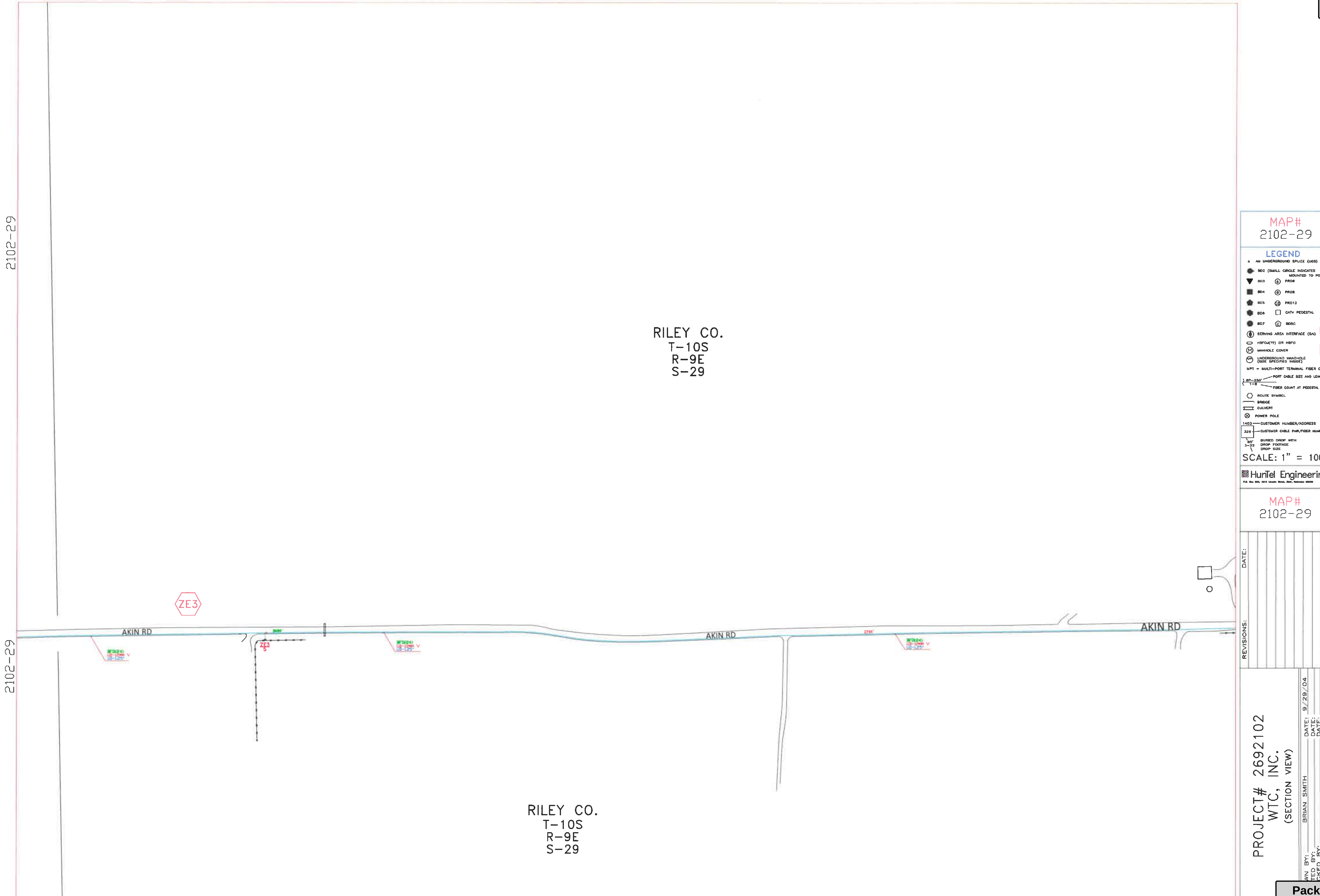

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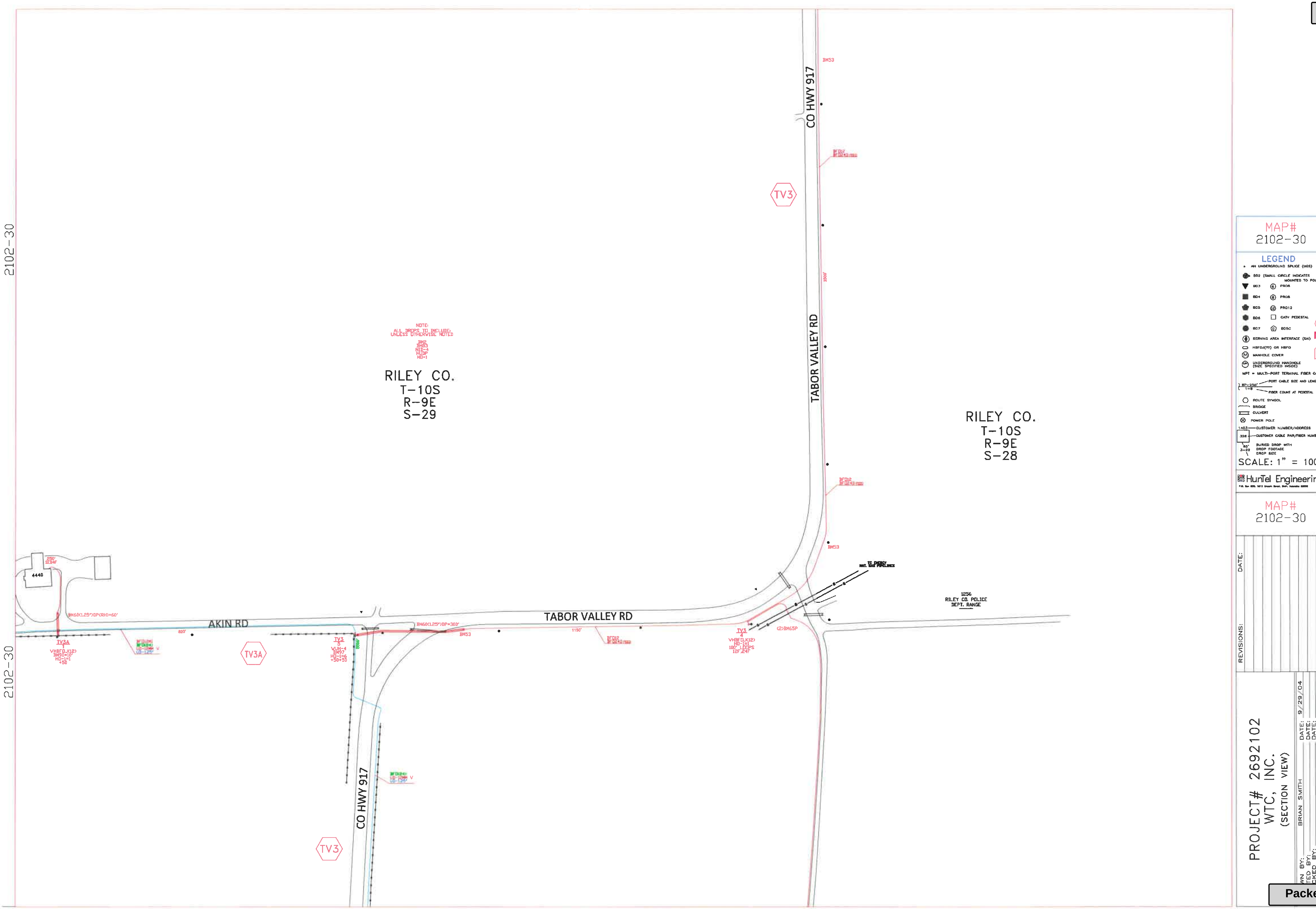

2102-30
2102-30
CO HWY 917
TV3
TABOR VALLEY RD
NOTE:
ALL DROPS TO INCLUDE:
UNLESS OTHERWISE NOTED
RILEY CO.
T-10S
R-9E
S-29
RILEY CO.
T-10S
R-9E
S-28
4440
AKIN RD
TABOR VALLEY RD
TV3A
1256
RILEY CO. POLICE
DEPT. RANGE
CO HWY 917
TV3
MAP#
2102-30
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-30
DATE:
REVISIONS:
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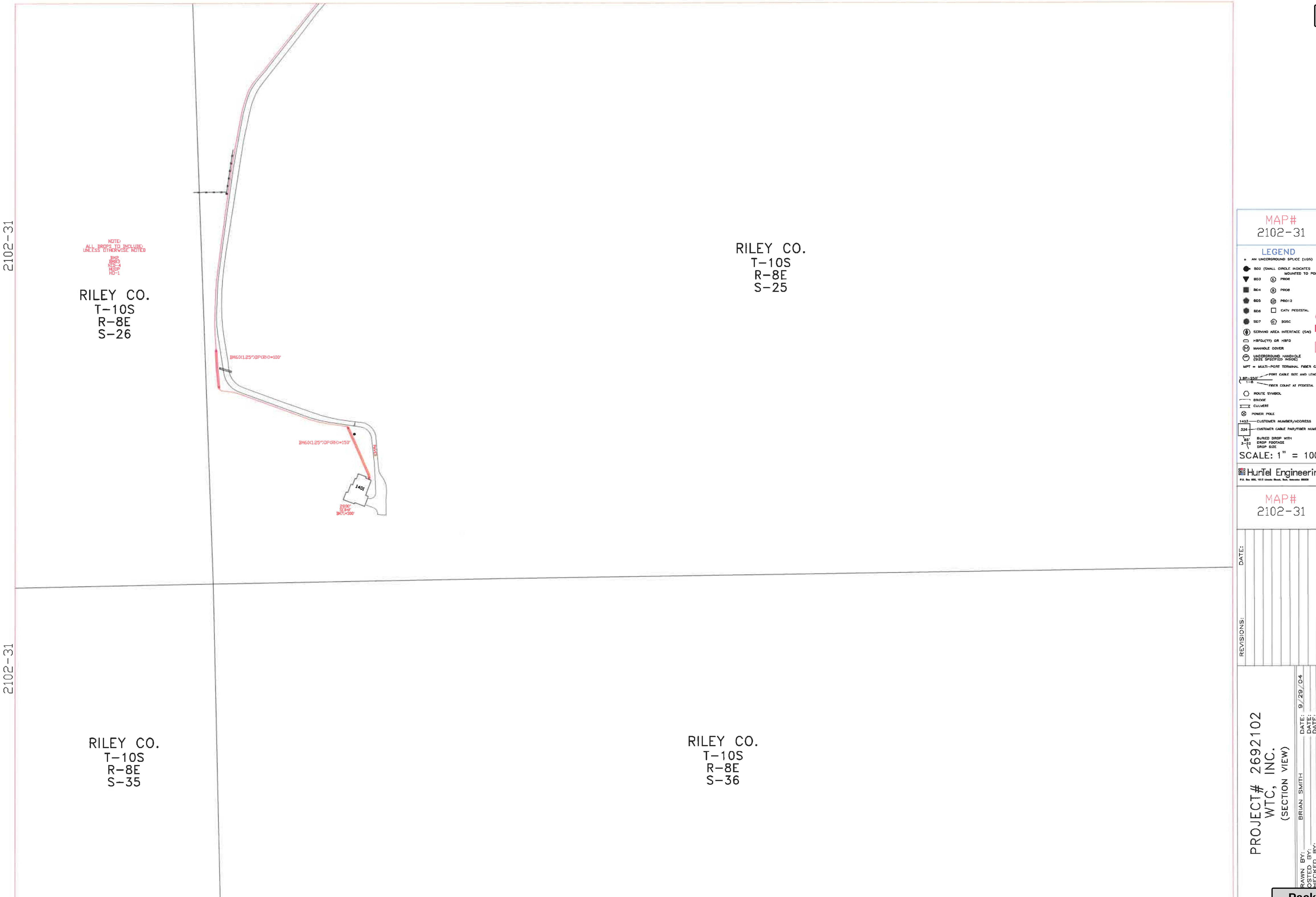
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
9/29/04



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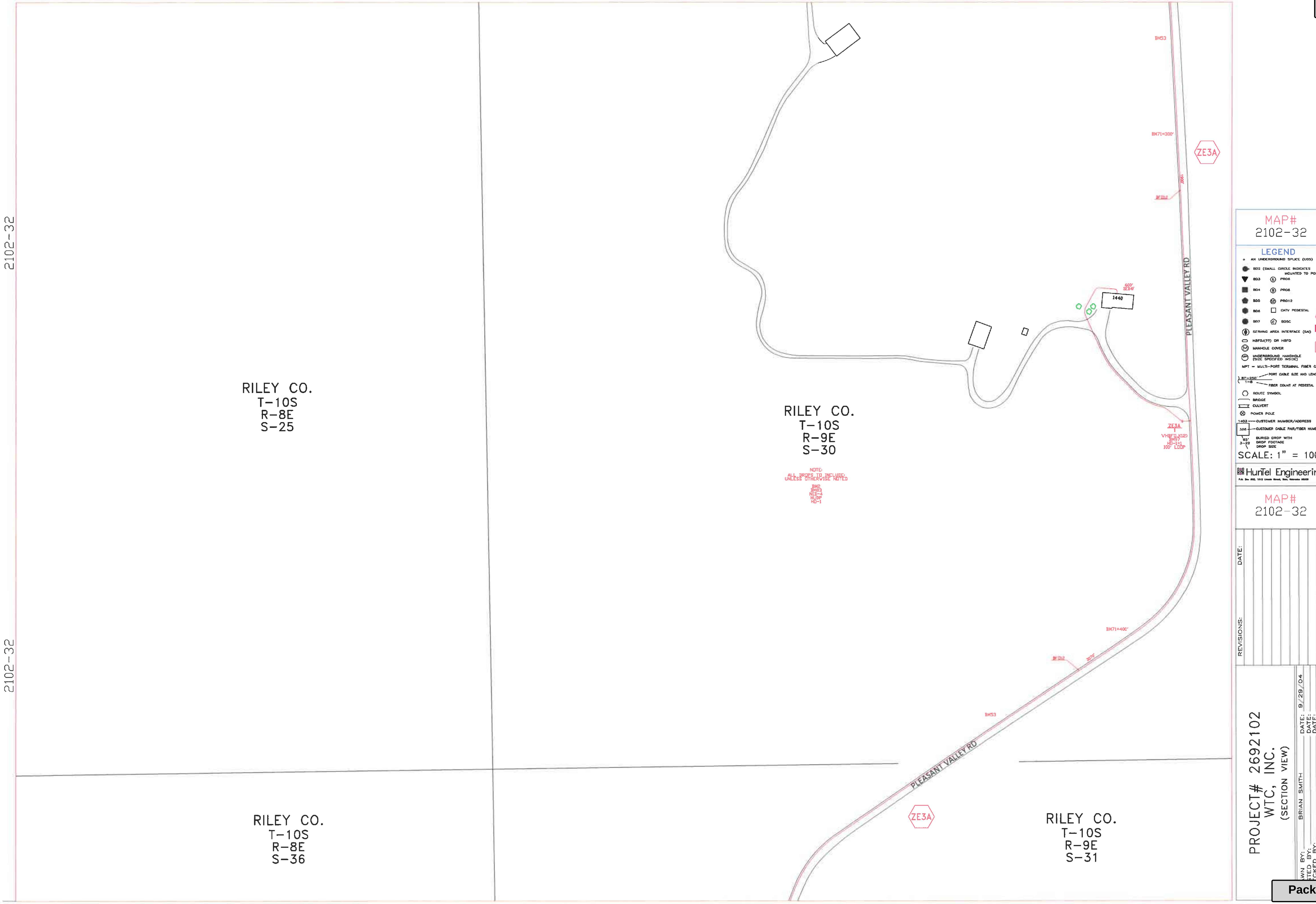
2102-32
2102-32
RILEY CO.
T-10S
R-8E
S-25
RILEY CO.
T-10S
R-9E
S-30
RILEY CO.
T-10S
R-8E
S-36
RILEY CO.
T-10S
R-9E
S-31
PLEASANT VALLEY RD
PLEASANT VALLEY RD
ZE3A
ZE3A
1440
MAP#
2102-32
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-32
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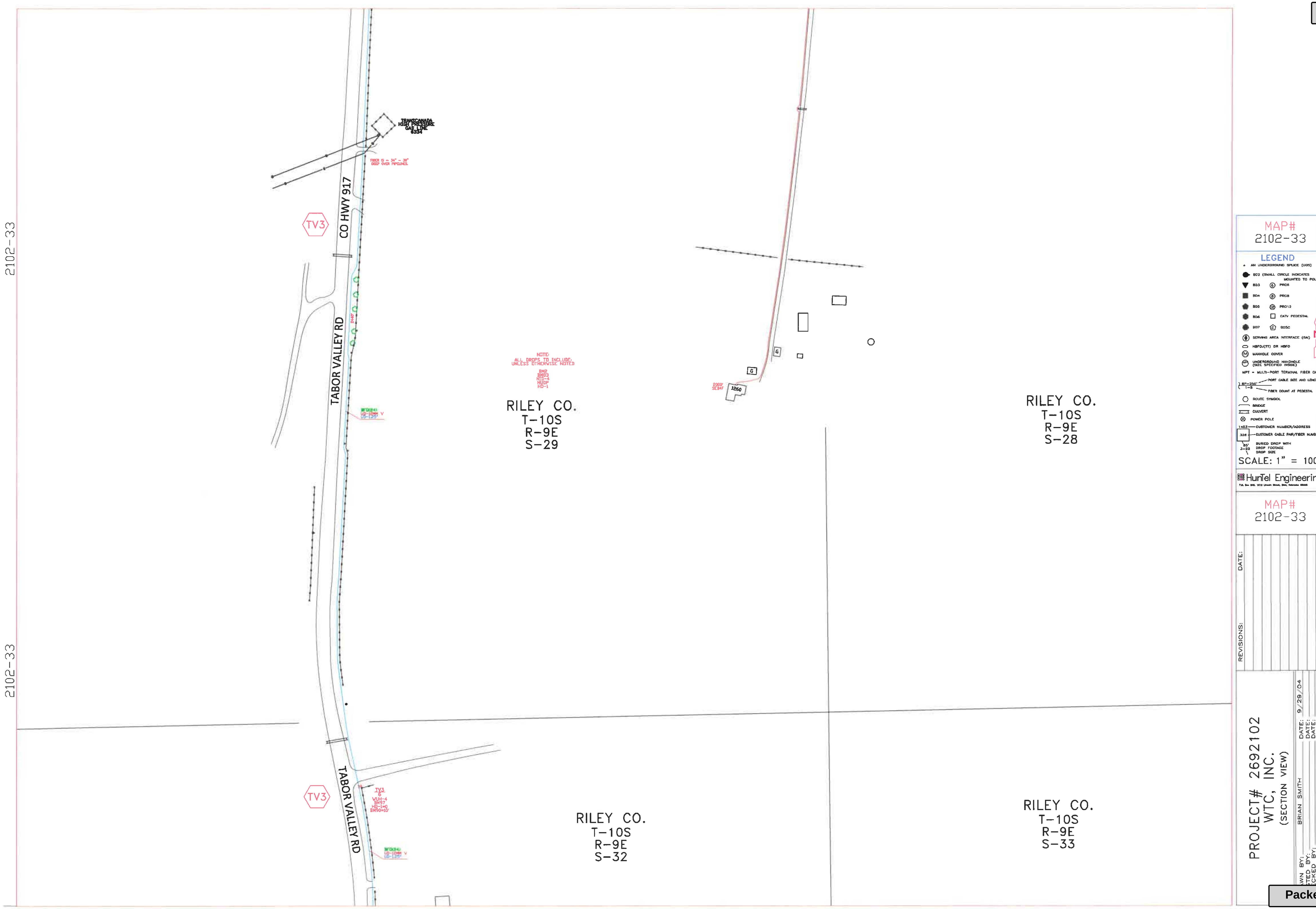
9/29/04



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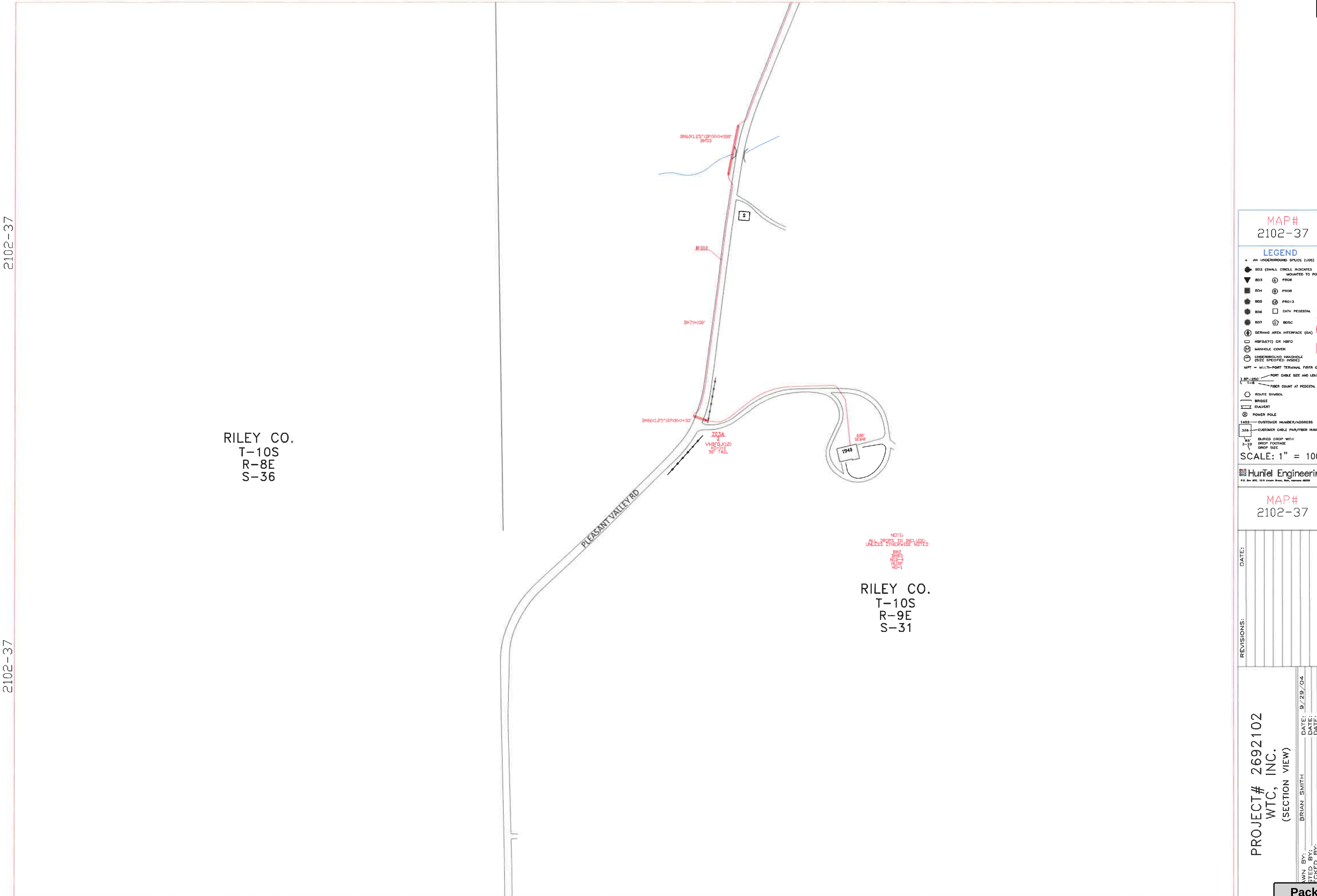
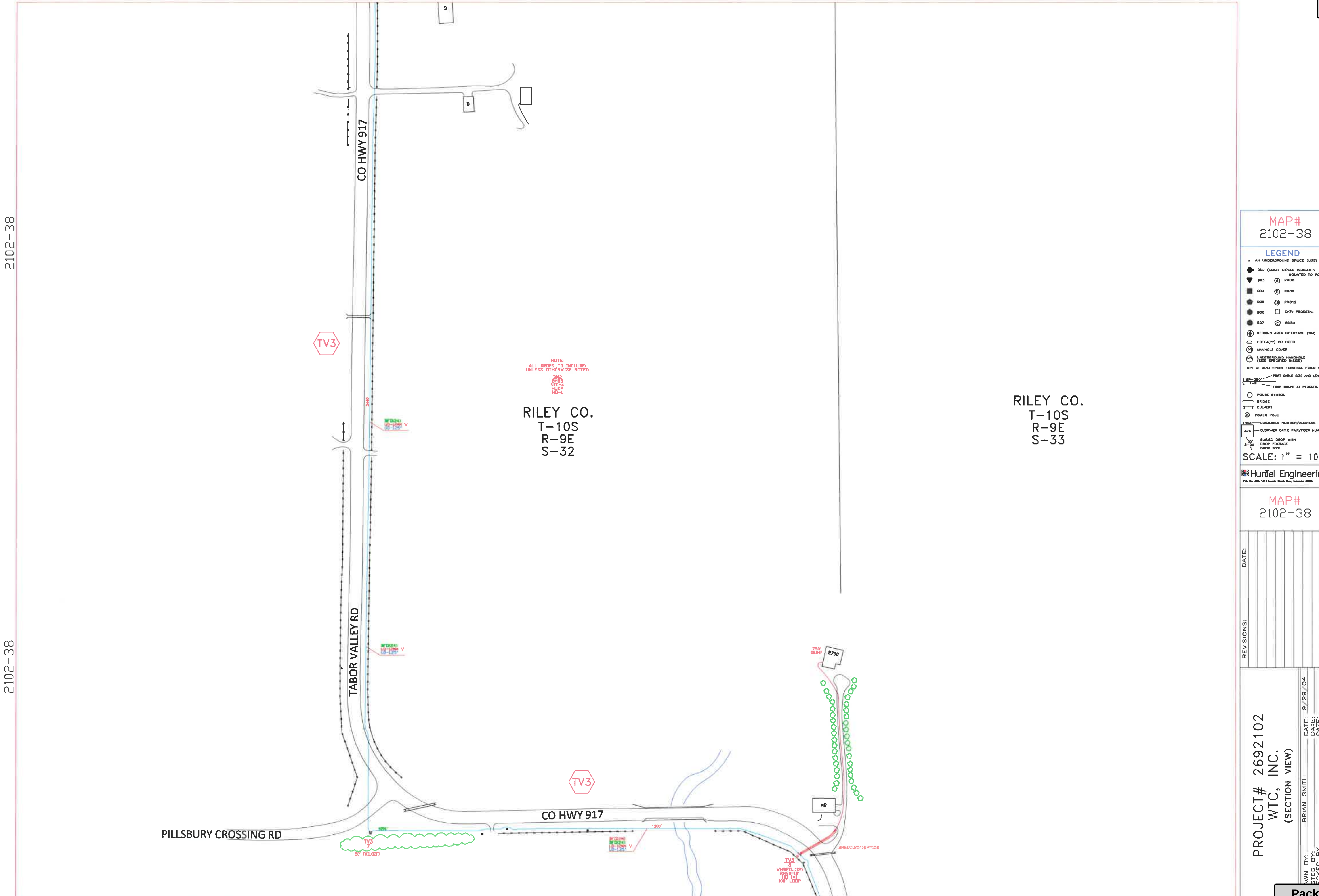
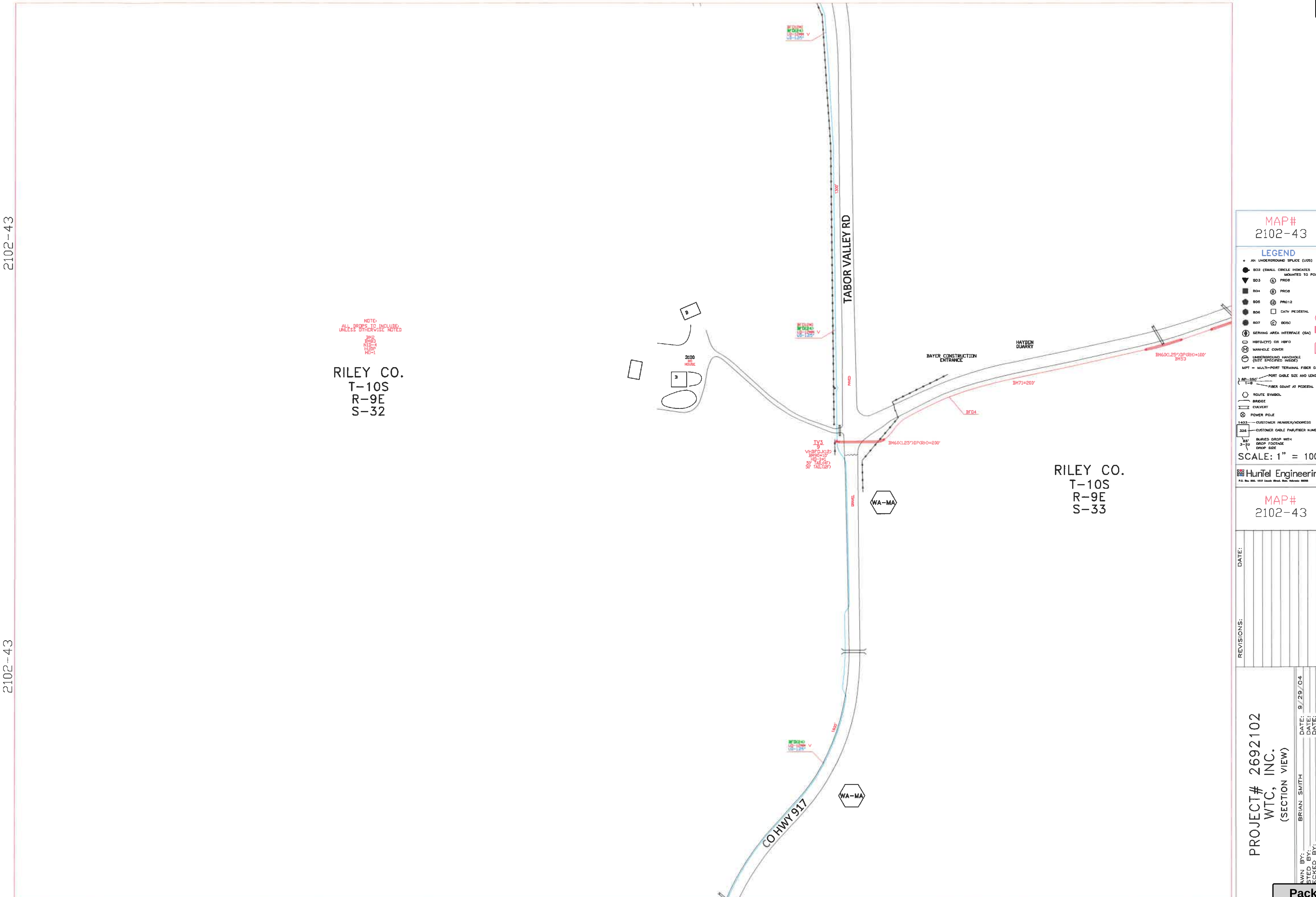


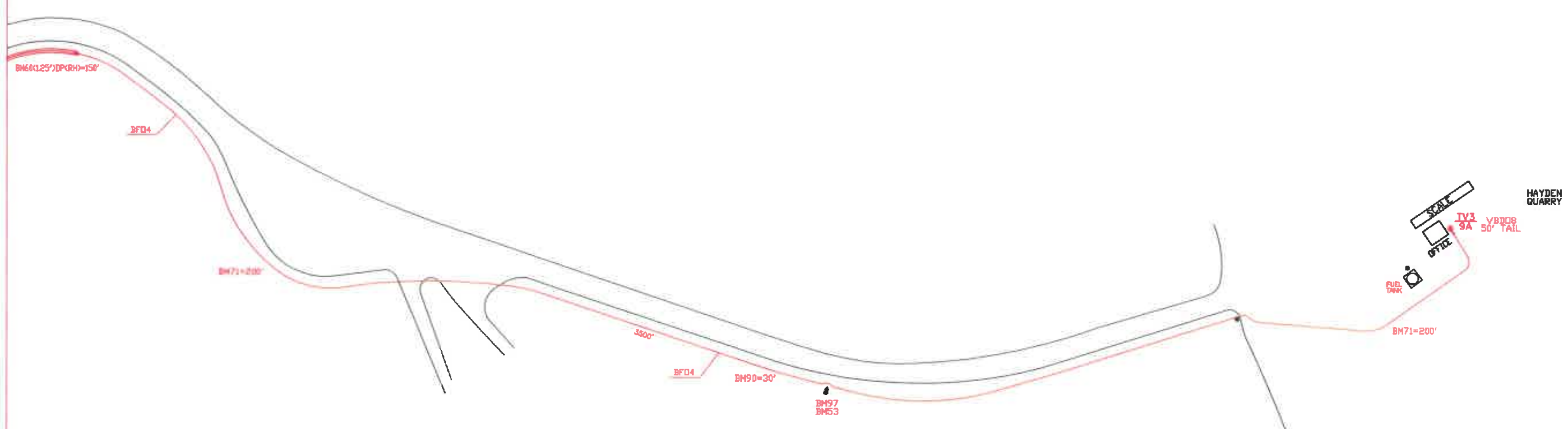
Attachment: 06.11.21_WTC_new fiber optic cable (10945 : Highway Use Permit)


2102-38
2102-38
CO HWY 917
TV3
NOTE:
ALL DROPS TO INCLUDE
UNLESS OTHERWISE NOTED
RILEY CO.
T-10S
R-9E
S-32
RILEY CO.
T-10S
R-9E
S-33
TABOR VALLEY RD
TV3
PILLSBURY CROSSING RD
CO HWY 917
2700
MAP#
2102-38
LEGEND
SCALE: 1" = 100'
HunTel Engineering
MAP#
2102-38
DATE:
REVISIONS:
PROJECT# 2692102
WTC, INC.
(SECTION VIEW)
BRIAN SMITH
9/29/04



Attachment: 06.11.21_WTC_new fiber optic cable (10945 : Highway Use Permit)

2102-43A



NOTE:
ALL DROPS TO INCLUDE:
UNLESS OTHERWISE NOTED
BH2
BM83
NID-4
HUDP
HO-1

RILEY CO.
T-10S
R-9E
S-33

2102-43A

MAP#
2102-43A

LEGEND
- AN UNDERGROUND SPLICE (UGS)
- BD2 (SMALL CIRCLE INDICATES MOUNTED TO POLE)
- BD3 — PRO6
- BD4 — PRO8
- BD5 — PRO12
- BD6 — CATV PEDESTAL
- BD7 — BD5C
- SERVING AREA INTERFACE (SAI)
- HBFOJ(??) OR HBFO
- MANHOLE COVER
- UNDERGROUND HANDHOLE (SIZE SPECIFIED INSIDE)
- MPT = MULTI-PORT TERMINAL FIBER CABLE
- 8P-250' — PORT CABLE SIZE AND LENGTH
- 1-8 — FIBER COUNT AT PEDESTAL
- ROUTE SYMBOL
- BRIDGE
- CULVERT
- POWER POLE
- 1403 — CUSTOMER NUMBER/ADDRESS
- 326 — CUSTOMER CABLE PAIR/FIBER NUMBER
- 85' 3-22 — BURIED DROP WITH DROP FOOTAGE DROP SIZE

N

SCALE: 1" = 100'

HunTel Engineering

MAP#
2102-43A

DATE:

REVISIONS:

PROJECT# 2692102
WTC, INC.
(SECTION VIEW)

DRAWN BY: BRIAN SMITH DATE: 9/29/04
TESTED BY: DATE:
CHECKED BY: DATE:
APPROVED BY: DATE:

Attachment: 06.11.21_WTC_new fiber optic cable (10945 : Highway Use Permit)

PUBLIC WORKS
Permit

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

COMMISSION AGENDA REPORT

FROM: **Shannon Sterling, Administrative Assistant**

MEETING: **July 8, 2021**

SUBJECT: **Highway Use Permit, Evergy**

PRESENTER: **John Ellermann, PE, Director of Public Works**

BACKGROUND

Evergy is requesting permission to work in the right of way to relocate poles to accommodate the widening of Thomas Wiard Road.

RECOMMENDATION(S)

Staff recommends approval of the Highway Use Permit as presented.

POSSIBLE MOTION(S)

Move to approve the Highway Use Permit granting Evergy permission to complete the work as outlined in the Permit.

Enclosures:

- 06.28.21-Evergy_Thomas Wiard Rd (PDF)

Permit No. ____________

APPLICATION FOR HIGHWAY USE PERMIT

Riley County, Kansas

Evergy	Overhead Electric
Applicant Name	Type of Construction

225 S Seth Child Road	Manhattan	Kansas	66502
Applicant Mailing Address	City	State	Zip

Applicant hereby requests permission to relocate poles for accommodate the widening of Thomas Wiard Rd. along and/or across the public roads of Riley County, Kansas, according to the details and route shown on the attached plans and standards for said construction.

A $100 Application Fee and a detailed map of location (include an aerial when possible) are required.

In support of its application, the Applicant states it is in the best interest of the residents of Riley County to allow construction of said facility. In addition, Applicant agrees as follows:

A. Facility shall be installed in conformance with all items on approved plans, pertinent national codes/standards and the Riley County Highway Use Permit Requirements and Procedures. Any request for variance shall be an addendum to this application. Any utility sharing facilities with another entity is required to obtain a separate Highway Use Permit for their installation.

B. A refundable deposit as specified in the Riley County Highway Use Permit Requirements and Procedures, made payable to Riley County, Kansas, shall accompany this application to guarantee satisfactory performance of the conditions of this permit.

C. The County Engineer and/or the Township Trustee shall have the authority to require any needed repairs resulting from such construction in the road right-of-way for a period of one year from date of completed construction.

D. In the event of road improvement or maintenance within the right-of-way, the applicant or its assigns will be responsible for the relocation of the facility at no cost to riley County or the Township.

E. **Applicant shall notify the County Engineer at least 2 business days prior to the beginning of construction and upon completion of construction at 785-537-6330.**

F. It is understood, the work shall commence within three (3) months of the permit approval and be completed within thirty (30) days of the estimated duration of construction otherwise, the permit becomes null and void, unless an extension of time is approved.

G. Applicant further represents it shall comply with and abide by any rule, regulation or condition of the permit made by the County Engineer and/or the Township Trustee.

Submitted by: Jared Hawkins Digitally signed by Jared Hawkins DN: C=US, E=jared.hawkins@evergy.com, CN=Jared Hawkins Date: 2021.06.28 15:56:12-05'00'

Submitter's signature

6/28/2021

Date

Jared Hawkins TD Designer III

Printed Name & Title

785-587-2304	
Submitter's Telephone Number	Contractor Name
jared.hawkins@evergy.com	
Submitter's Email Address	Contractor Telephone Number
7/7/2021	5 working days
Proposed Date of Construction	Estimated Duration of Construction

RECOMMENDED BY: John Ellermann

Riley County Engineer

Permit granted this ____day of ______________________, 20_____.

BOARD OF COUNTY COMMISSIONERS
RILEY COUNTY, KANSAS

____

Chairperson

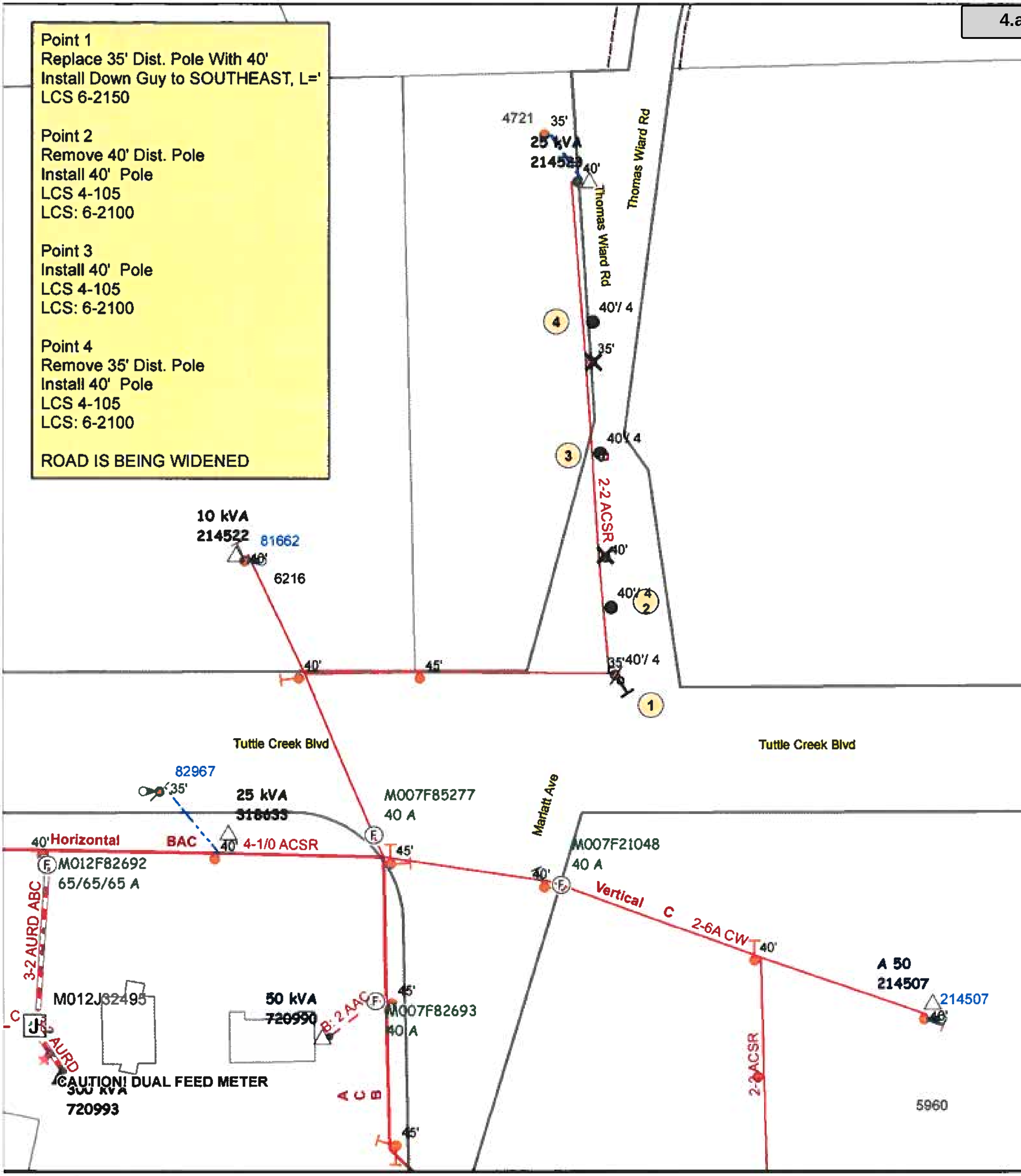
OFFICE USE ONLY:

Application Fee: $100.00

$1,000 Deposit ___ Bond ___ Letter ___

Receipt No. 012597 Date: 6-29-21

Signature: Shannon Sterling



Exist New	N	evergy	Title	Thomas Wiard Rd. Widening			
			By	Jared Hawkins	M101844606	Crew H	
Line Direction		Think Safety!	Date	6/28/2021	Scale	1 inch = 183 feet	Sheet Page 1
			Sub/Ckt	MATT 12-02	Upstream Device	X000X1	

Attachment: 06.28.21-Evergy_Thomas Wiard Rd (10952 : Highway Use Permit)

Joint City/County/County Meeting: (at city offices July 15th)
Topics for Agenda:

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

Cindy Kabriel
785-565-6200

Board of Riley County Commissioners
Regular Meeting
TENTATIVE Agenda
July 12, 2021

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**

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM **Rich Vargo, County Clerk**

1. Year to date budget and expenditure reports

9:30 AM **Press Conference**

2. USD 383 Primary Election - Rich Vargo (1-2 minutes)

9:50 AM **Greg Vahrenberg, Raymond James & Associates**

3. Proposal of refinancing the 2013 and 2018 bond issuances

10:10 AM **John Ellermann, Public Works Director/County Engineer**

4. Project update

10:40 AM **Clancy Holeman, Counselor/Director of Administrative Services**

5. Administrative Work Session

11:00 AM **Cheryl Collins, Museum Director**

6. Staff update

12:00 PM **County Officials Luncheon**

Adjournment

Announcements

Riley County Planning Board/Board of Zoning Appeals meeting will be held tonight at 7:30 p.m. in the Commission Chambers, Courthouse Plaza East Building, 115 N. 4th Street.

A commissioner will be on In Focus live at 9:05 a.m. Tuesday, July 13, 2021 (JF).

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Board of Riley County Commissioners
Regular Meeting
TENTATIVE Agenda
July 15, 2021

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

Cindy Kabriel
785-565-6200

Commission Chambers **9:00 AM**

District 1 – John Ford, Chair   District 2 – Greg McKinley, Vice Chair   District 3 – Kathryn Focke, Member

9:00 AM **Call to Order**

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting
1. Discuss Intergovernmental Luncheon
2. Approve payroll/accounts payables (when completed)

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:15 AM **Amy Manges, Register of Deeds**
3. Staff update

9:30 AM **Clancy Holeman, Counselor/Director of Administrative Services**
4. Administrative Work Session

9:50 AM **Break**

10:00 AM **Gary Fike, County Extension Director**
5. Staff update

10:15 AM **Dennis Butler, RCPD Director**
6. RCPD update

10:30 AM **Russel Stukey, Emergency Management Director**
7. Staff update

10:45 AM **Shilo Heger, Treasurer**

8. Monthly reports

4:00 PM **Joint City/County/County Meeting (at City Offices)**

Adjournment

Announcement

Good Morning Manhattan will be held today 7:30 - 8:30 a.m. virtually via Zoom.

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

COUNTY COUNSELOR/ADMINISTRATIVE SERVICES
Presentation

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: **Clancy Holeman, Riley County Counselor**

MEETING: **July 8, 2021**

SUBJECT: **Approval of KAC Legislative Request Forms**

PRESENTER: **Clancy Holeman**

BACKGROUND

Last Wednesday, June 30, 2021, the Kansas Association of Counties (KAC), notified all counties the first meeting of the KAC Legislative Policy Committee meeting will be held July 30, 2021. As you are aware, this meeting allows KAC to develop its legislative platform for the next Kansas legislative session. Every county's deadline for submitting proposed legislation to KAC for consideration at that meeting is July 23, 2021.

Placement of county items on the KAC legislative platform increase the chances that your priorities for the 2022 legislative system will have the best chance of passage. That is because it is the KAC platform which directs and prioritizes that statewide organization's lobbying efforts

DISCUSSION

Attached for your review and possible approval are Legislative Request Forms for those issues I believe this Board will want to submit. The forms are attached on the following issues:

Exhibit 1: Constitutional Protection of Existing County Home Rule;

Exhibit 2: "Dark Store" Legislation Forbidding Use of "Hypothetical" Appraised Values;

Exhibit 3: LAVTR--Local Ad Valorem Tax Reduction Fund and other State 'Demand Transfer" Funds--Resume Funding by State Legislature.

FISCAL IMPACT

Any fiscal impact is identified within each Legislative Request Form attached.

RECOMMENDATION(S)

I recommend the Board approve my submission of the attached Legislative Request Forms to KAC, or advise which you do not want submitted.

Of course, also please advise if you have additional issues the Board wants submitted to KAC.

POSSIBLE MOTION(S)

A. "I move the Board approve submission to KAC of the Legislative Request Forms presented."

B. "I move the Board not approve submission to KAC of the Legislative Request Forms presented."

C. "I move the Board submit the following issues to KAC by additional Legislative Request Forms… ."

Enclosures:

- Exhibit 1 (PDF)
- Exhibit 2 (PDF)
- Exhibit 3 (PDF)

KANSAS ASSOCIATION OF COUNTIES

Legislative Request Form | 2022 Legislative Session

Instructions: Three entities are eligible to submit a policy request. They are: (1) a member county, (2) a KAC affiliate organization, or (3) a KAC associate organization. Any county official submitting a request must have support from the official's respective county or affiliate/associate organization before submission. It is preferred that all requests also include a prior discussion with a Kansas legislator before submission. Please submit requests typed on this form. Do not submit handwritten forms. Deadline for submitting this request form: **Friday, July 23, 2021**.

1. Contact Information

Name:	Clancy Holeman
Title:	County Counselor
Entity:	Riley County
Telephone:	785-565-6844
Email:	choleman@rileycountyks.gov

2. Describe the legislative issue.

Home rule is the power of local government to legislate. Without home rule, local government has no authority to pass resolutions or decide local issues. Without home rule, counties would need specific authority from the state to deal with every local issue. To preserve the legislative authority of county commissioners statewide, county home rule should be protected by the Kansas constitution.

A key difference between county and city home rule is this: Home rule for Kansas cities is protected by Kansas constitution (beginning in 1960). The practical benefit of such constitutional protection is the Kansas legislature cannot repeal *city* home rule without *amending the Kansas constitution*. And any amendment of the Kansas constitution must first pass both the Kansas House and Senate by a 2/3 majority, then be placed on a statewide ballot for approval by Kansas voters.

EXHIBIT 1

In contrast, county home rule was granted only by state statute(beginning in 1974) . So the Kansas legislature can end county home rule by simply repealing that statute.

3. Describe any history on the issue.

Riley County introduced legislation (House Concurrent Resolutions) during the 2017 and 2019 legislative sessions. Hearings were held on the 2017 and 2019 introductions, but neither HCR was worked in its respective committee.

Riley County introduced virtually identical legislation during the 2021 legislative session, in the form of SCR 1606 (Attachment A) . A hearing was held on SCR 1606 during the 2021 session, and a unanimous Riley County Commission testified in support both by zoom and by written testimony (Attachments B, C & D).

4. Why does the issue need legislative resolution?

Under existing law, all counties can lose their current home rule authority in any legislative session. A simple majority vote in each chamber, followed by the governor's signature approving repeal (or a legislative override of the governor's veto of such a repeal) ends county home rule statewide.

5. Who will support the legislation? Who will oppose it?

In the past, this legislation has been opposed by KLA, KFB and the Pork Producers. We expect that opposition will continue. Their opposition is generally premised on the concept that county commissions cannot be trusted to legislate locally on issues important to these 3 special interest groups.

With redistricting on the horizon, it appears Kansas rural counties are on the verge of likely significant reductions in their numbers within the statehouse. Assuming this trend continues, it means larger, more urban counties, where the state's population continues to grow and be concentrated, will have the ability to control the legislative agenda for Kansas.

Before that happens, it is probably enlightened self-interest for those rural counties to support constitutional protection of their local legislative authority now.

6. Do other counties support or oppose the legislation? Why or why not?

During a county "legislative summit" sponsored by Riley County in 2019, several counties in our region supported this concept. We believe there is widespread county support for protecting local authority, once the danger of its loss is apparent. (See the description of the upcoming dilution of rural county power in the Kansas legislature at paragraph 5, above.)

During a KAC annual membership meeting, language identical to SCR 1606 was approved by the full KAC membership. In order to secure membership support of this legislative effort, Riley County had agreed at the membership meeting to add language making it clear this proposal changes nothing regarding the current system of appraising and valuing agricultural real property. Such language remains within SCR 1606. That should help maintain support of rural counties for SCR 1606.

7. Does this issue or problem have statewide effects and why?

Since the 1974 legislation granting county home rule, the legislature has continued to restrict county authority by amending that statute. Initially, county legislative authority was limited by only 8 statutory amendments. There are now 38 statutory legislative restrictions on county legislative authority. These 38 restrictions are expected to continue growing. They limit the potential flexibility and creativity of county commissions (See Attachments B, C and D).

8. Has this legislation had previous introductions at the Legislature? If so, when?

This legislation has been introduced in almost identical form during the 2017, 2019 and 2021 legislative sessions.

9. Which legislator did you approach and what was the response? Who will champion this bill during the legislative session?

We have not yet discussed this legislation with our delegation. But we are confident it will be supported by our entire delegation during the 2022 session.

10. When (specific date) did your county, affiliate, or associate approve this proposal?

The Board of Riley County Commissioners approved this proposal during its public meeting July 8, 2021.

11. Will you be present at the KAC Annual Conference during the legislative policy discussion to advocate for, and answer questions relating to, this legislation?
    Yes.

12. Attach any helpful documentation.
    See Attachments A, B, C and D.

PLEASE ANSWER ALL QUESTIONS TO ENSURE THAT THE COMMITTEE GIVES THOROUGH CONSIDERATION OF YOUR REQUEST

Please return to: Jay Hall, KAC Legislative Policy Director and General Counsel
hall@kansascounties.org
Kansas Association of Counties, 715 SW 10th Avenue, Topeka, Kansas 66612

Deadline for Submission: July 23, 2021

Session of 2021

Senate Concurrent Resolution No. 1606

By Committee on Local Government

2-4

A PROPOSITION to amend article 9 of the constitution of the state of Kansas by adding a new section thereto; concerning home rule for counties.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 9 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"**§ 6. Counties' power of home rule.** (a) Counties are hereby empowered to determine their local affairs and government including the levying of taxes, excises, fees, charges and other exactions, except when and as the levying of any tax, excise, fee, charge or other exaction is limited or prohibited by enactment of the legislature applicable uniformly to all counties of the same class. The legislature may establish not to exceed four classes of counties for the purpose of imposing all such limitations or prohibitions. Counties shall exercise such determination by resolution passed by the governing body with referendums only in such cases as prescribed by the legislature, subject only to enactments of the legislature of statewide concern applicable uniformly to all counties, to other enactments of the legislature applicable uniformly to all counties, to enactments of the legislature applicable uniformly to all counties of the same class limiting or prohibiting the levying of any tax, excise, fee, charge or other exaction and to enactments of the legislature prescribing limits of indebtedness. All enactments relating to counties now in effect or hereafter enacted and as later amended and until repealed shall govern counties, except as counties shall exempt themselves by charter resolutions as herein provided for in subsection (b).

(b) (1) Any county may by charter resolution elect in the

ATTACHMENT A

manner prescribed in this section that the whole or any part of any enactment of the legislature applying to such county, other than enactments of statewide concern applicable uniformly to all counties, other enactments applicable uniformly to all counties, and enactments prescribing limits of indebtedness, shall not apply to such county.

(2) A charter resolution is a resolution which exempts a county from the whole or any part of any enactment of the legislature as referred to in this section and which may provide substitute and additional provisions on the same subject. Such charter resolution shall be so titled, shall designate specifically the enactment of the legislature or part thereof made inapplicable to such county by the adoption of such resolution and contain the substitute and additional provisions, if any, and shall require a two-thirds vote of the members-elect of the governing body of such county. Every charter resolution shall be published once each week for two consecutive weeks in the official county newspaper or, if there is none, in a newspaper of general circulation in the county.

(3) No charter resolution shall take effect until 60 days after its final publication. If, within 60 days of its final publication, a petition signed by a number of electors of the county equal to not less than 10% of the number of electors who voted at the last preceding regular county election shall be filed in the office of the clerk of such county demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. An election, if called, shall be called within 30 days and held within 90 days after the filing of the petition. The governing body shall pass a resolution calling the election and fixing the date, which resolution shall be published once each week for three consecutive weeks in the official county newspaper or, if there be none, in a newspaper of general circulation in the county, and the election shall be conducted as elections for officers and by the officers handling such elections. The proposition shall be: "Shall charter resolution No. ___________, entitled (title of resolution) take effect?" The governing body may submit any charter resolution to a referendum without petition by the same publication of the charter resolution, and the same publication of the resolution calling the election as for resolutions upon petition and such charter resolution shall then become effective when approved by a majority of the electors voting thereon. Each charter

resolution becoming effective shall be recorded by the county clerk in a book maintained for that purpose with a statement of the manner of adoption, and a certified copy shall be filed with the secretary of state, who shall keep an index of the same.

(4) Each charter resolution enacted shall control and prevail over any prior or subsequent act of the governing body of the county, and may be repealed or amended only by charter resolution or by enactments of the legislature applicable to all counties.

(c) Powers and authority granted to counties pursuant to this section shall be liberally construed for the purpose of giving to counties the largest measure of self-government.

(d) This amendment shall be effective on and after July 1, 2023."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"*Explanatory statement.* This amendment would provide a constitutional basis for county home rule. A county could enact a charter resolution to exempt itself from non-uniform state laws that apply to the county and provide substitute or additional provisions to that law. The legislature could preempt counties from exercising home rule powers by the passage of uniform state laws that apply to all counties in the exact same manner. Counties could pass home rule resolutions to legislate locally on matters not covered by state law.

"A vote for this proposition would empower counties to determine their local affairs and government with a constitutional grant of power that could only be preempted by enactments of the legislature that apply uniformly to all counties in the exact same way.

"A vote against this proposition would retain the present law granting counties home rule power and other both uniform and non-uniform laws pertaining to counties that can be readily amended by the legislature to restrict home rule powers by statute."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

RILEY COUNTY
BOARD OF COMMISSIONERS

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

February 16, 2021

Carolyn McGinn, Chair
Senate Local Government Committee
State Capitol, Room 142-S
Topeka, KS 66612

Re: Written Testimony in Support of SCR 1606
John Ford, Riley County Commission Chairman

Dear Chair McGinn and Members of the Committee:

The Board of Riley County Commissioners has introduced SCR 1606.

The goal of SCR 1606 is to provide constitutional protection to the home rule authority all Kansas counties currently have. This is, first, a matter of simple fairness to county commissions across Kansas. Home rule is the authority to legislate locally. Counties use their legislative authority every day to address local demands for service quickly and efficiently. That happens whenever county roads and bridges must be constructed or maintained; when ambulance service is provided; when the county health department distributes COVID-19 vaccine; when emergency management takes action to protect life and property during a flood or tornado; when volunteer firefighters respond to a call. But unlike cities, county authority to make legislative decisions about providing and funding these critical local services is not protected by our Kansas constitution. That is unfair.

Without constitutional protection of county home rule, it can end during any legislative session by repeal of the county home rule statute. In contrast, city home rule cannot end without a constitutional amendment. But the current constitutional protection of city home rule does not grant cities unlimited legislative authority. Cities remain subject to all state law which applies uniformly throughout Kansas. And SCR 1606 reads identically to the constitutional grant of home rule authority given cities. So passage of SCR 1606 does not expand the legislative authority of counties. Counties, like cities, would remain subject to all uniform state laws passed by the legislature.

Riley County trusts the voters of Kansas will, if given the opportunity, grant counties the same constitutional protection of local legislative authority which cities now have. We encourage this committee to give Kansas voters that opportunity.

Sincerely,

John Ford

John Ford, Chairman
Board of Riley County Commissioners

ATTACHMENT B

RILEY COUNTY

BOARD OF COMMISSIONERS

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

February 16, 2021

Carolyn McGinn, Chair
Senate Local Government Committee
State Capitol, Room 142-S
Topeka, KS 66612

Re: Oral Testimony in Support of SCR 1606
Greg McKinley, Riley County Commission Vice Chairman

Dear Chair McGinn and Members of the Committee:

The Board of Riley County Commissioners has introduced SCR 1606.

Home rule is necessary for counties. It allows county commissions to react quickly and effectively to local events and conditions. For example, the extreme cold affecting Kansas in the past week has disrupted some portion of the COVID-19 testing taking place in Riley County. Riley County had made available one of its outdoor facilities (normally used during the county fair) as a testing site. The private company providing this testing is under a contract with the State of Kansas. But the cold weather has made it impossible for the company's staff to continue their work outdoors. It is important such testing continue. Good data helps the Riley County Health Department accurately determine the rate of COVID-19 infections in our community. Knowing the rate of infection helps our local health officer and our Board make health policy decisions which protect our citizens and businesses.

Our County Commission had already leased a building from a local church. We will use that building as an "Alternate Care Site" for COVID-19 patient treatment, if it becomes necessary. During a commission meeting last week, we quickly approved staff's development of an amendment to the existing lease. We took legislative action in that public meeting to authorize our Chairman to sign such an amendment, once it's prepared, without waiting for our next regular public meeting. If that amendment is acceptable to the owner, the testing company and this Board, our hope is to have free and warm indoor space available to the company this week. Then testing will continue.

This kind of quick response by our Board to a local problem is possible because we have lawful authority to take quick legislative action and alter our existing contract. Home rule gives Riley County that authority.

SCR 1606 protects existing Riley County home rule. It gives constitutional protection to our ability to solve local problems, at the local level.

Thank you for allowing our Board to ask your support of SCR 1606.

Sincerely,

Greg McKinley, Vice Chairman
Board of Riley County Commissioners

ATTACHMENT C

RILEY COUNTY
BOARD OF COMMISSIONERS

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

February 23, 2021

Carolyn McGinn, Chair
Senate Local Government Committee
State Capitol, Room 142-S
Topeka, KS 66612

Re: Written Testimony in Support of SCR 1606
Kathryn Focke, Riley County Commissioner

Dear Chair McGinn and Members of the Committee:

The Riley County Commission unanimously believes county home rule deserves constitutional protection.

The governing body closest to local issues is uniquely suited to respond immediately, creatively and effectively to citizens. The ongoing pandemic and the local public health response to it, provide excellent examples.

When some local businesses told this Board they believed our Board of Health and Local Health Officer COVID-19 restrictions were too strict, the Riley County Commission took action. Now a formalized advisory group made up of business representatives provides input for consideration by our Local Health Officer. This benefits both business and public health.

When the state of Kansas passed along CARES funding to Riley County, with a mandate to fairly address local COVID-19 needs, the Riley County Commission was not overwhelmed by the task. Instead, the County quickly created a staff committee to develop fair grant application standards and to review the requests from small businesses for COVID-19 assistance. Thereafter, the County Commissioners authorized distribution of grants to small businesses totaling $2,589,055.24. Those grants provided essential assistance to 186 struggling local small businesses.

Without the local authority of home rule, the Riley County Commission would not have been able to take either of the foregoing actions without first obtaining legislative approval. That would have slowed local response in both of the above situations. That kind of delay would have reduced this County's ability to quickly meet the critical local needs of its citizens.

This kind of local authority deserves constitutional protection—the identical constitutional protection Kansas cities already have for their home rule authority.

Sincerely,

Kathryn Focke
Riley County Commissioner

ATTACHMENT D

KANSAS ASSOCIATION OF COUNTIES

KANSAS ASSOCIATION OF COUNTIES

Legislative Request Form | 2022 Legislative Session

Instructions: Three entities are eligible to submit a policy request. They are: (1) a member county, (2) a KAC affiliate organization, or (3) a KAC associate organization. Any county official submitting a request must have support from the official's respective county or affiliate/associate organization before submission. It is preferred that all requests also include a prior discussion with a Kansas legislator before submission. Please submit requests typed on this form. Do not submit handwritten forms. Deadline for submitting this request form: **Friday, July 23, 2021**.

1. Contact Information

Name:	Clancy Holeman
Title:	County Counselor
Entity:	Riley County Commission
Telephone:	785-565-6844
Email:	choleman@rileycountyks.gov

2. Describe the legislative issue.

"Dark Store" real property tax appraisals currently being accepted by the Kansas Board of Tax Appeals (BOTA) have the potential to significantly reduce the property tax base of counties. "Dark Store" property tax appraisals routinely depend upon a "hypothetical" value instead of the "fair market value" required by Kansas statute and the Kansas constitution.

Riley County has introduced legislation which, if enacted, will clarify the existing statutory definition of "fair market value" (SB 222; Attachment A). This clarification of existing law will mean BOTA cannot consider hypothetical appraised values when they are offered by taxpayers or their representatives at BOTA.

3. Describe any history on the issue.

EXHIBIT 2

Riley County has been concerned about this issue and publicly speaking out about it for at least the past 4 years. Most recently, BOTA ruled against Riley County in our "Home Depot" case (Attachment B). Riley County has filed with BOTA a Petition for Review of that ruling. No final decision has been made by Riley County whether to appeal to the courts, if that Petition is denied.

The danger "dark store" hypothetical appraisals represent to Riley County (and other counties) is evident by "Attachment C". First, Attachment C shows the real revenue loss of Home Depot to Riley County and its other taxing units. Second, Attachment C shows the potential revenue loss of other Riley County "dark store" hypothetical appraisal appeals now pending before BOTA.

4. Why does the issue need legislative resolution?

Courts on appeal are generally required to give some deference to lower level decisions by state "administrative agencies" (like BOTA). It must be remembered appellate courts do not "re-try" the cases before them. Instead, on appeal courts rely only upon the written legal briefs and appellate attorney arguments--which are based upon the written transcript of what already happened in trial at the administrative agency (here BOTA). This principle is based upon the "expertise" administrative agencies bring to their assigned area of decision.

So any appellate court begins its consideration of a BOTA appeal with the presumption BOTA probably made the right decision unless it has violated clearly established law. The advantage of SB 222 (Attachment A) is it clarifies the statutory definition of "fair market value" to explicitly exclude 'hypothetical lease fee" ("Dark Store") appraisals. If SB 222 (Attachment A) is enacted, BOTA will be required to follow its statutory clarification—or counties should be able to reverse BOTA by appeal to the courts.

5. Who will support the legislation? Who will oppose it?

Local chambers of commerce should realize this is an "equity" issue placing large, often national, retailers at a significant advantage over "mom and pop" retailers operating in the same market. The Kansas Chamber will likely oppose SB 222(Attachment A). This split between the positions of state and local Chambers is evident in Riley County. Our local Chamber supports SB 222 (Attachment A) on the basis of this "equity" issue between national and local retailers.

6. Do other counties support or oppose the legislation? Why or why not?

During Riley County's "legislative summit" in 2019, several counties in attendance voiced their support of this type of legislation. It is clear these "hypothetical appraisals" are spreading outside the "big box" retailers into other commercial activities such as multi-family housing. If hypothetical appraisals gain further traction before BOTA, there is every reason to expect they will no longer be limited to "big box" retailers.

7. Does this issue or problem have statewide effects and why?

The successful use of "dark store" hypothetical appraisals effectively begins to create two classes of properties: those which have a BOTA-generated property tax rate of assessment which is artificially lower (often by 42%) than other businesses within their local market. That happens because those local business (which have not appealed successfully to BOTA) are operating each day with a property tax value determined by reliance upon *data from the actual local market*.

If that non uniform and unequal rate of assessment continues to grow, it may lead the courts to order statewide reappraisal of all properties, such as last occurred in 1989. And statewide reappraisal is extremely costly to counties in both time and resources.

8. Has this legislation had previous introductions at the Legislature? If so, when?

SB 222 (Attachment A) was introduced by Riley County during the 2021 legislative session. (HB 2402 was also introduced by Riley County. It is a duplicate of SB 222). But no hearing was held on either bill.

Further education of all legislators, and of the general public, will be essential to passage of SB 222 (Attachment A).

9. Which legislator did you approach and what was the response? Who will champion this bill during the legislative session?

Senator Tom Hawk introduced SB 222 (Attachment A). We believe Senator Hawk will champion the bill during the 2022 session. We believe our entire delegation will support it during the 2022 session. And we expect to confirm that during Riley County's annual fall legislative conference with our delegation.

10. When (specific date) did your county, affiliate, or associate approve this proposal?

The Board of Riley County Commissioners approved this proposal during its public meeting July 8, 2021.

11. Will you be present at the KAC Annual Conference during the legislative policy discussion to advocate for, and answer questions relating to, this legislation?

Yes.

12. Attach any helpful documentation.
See Attachments A, B & C.

PLEASE ANSWER ALL QUESTIONS TO ENSURE THAT THE COMMITTEE GIVES THOROUGH CONSIDERATION OF YOUR REQUEST
Please return to: Jay Hall, KAC Legislative Policy Director and General Counsel
hall@kansascounties.org
Kansas Association of Counties, 715 SW 10th Avenue, Topeka, Kansas 66612
Deadline for Submission: July 23, 2021

Session of 2021

SENATE BILL No. 222

By Committee on Ways and Means

2-11

AN ACT concerning property taxation; relating to valuation of property; excluding hypothetical leased fee in the determination of fair market value; amending K.S.A. 79-503a and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 79-503a is hereby amended to read as follows: 79-503a. "Fair market value" means the amount in terms of money that a well informed buyer is justified in paying and a well informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion. *A hypothetical leased fee shall not be included in the determination of fair market value of any property.* In the determination of fair market value of any real property ~~which~~ *that* is subject to any special assessment, such value shall not be determined by adding the present value of the special assessment to the sales price. For the purposes of this definition it will be assumed that consummation of a sale occurs as of January 1.

Sales in and of themselves shall not be the sole criteria of fair market value but shall be used in connection with cost, income and other factors including, but not by way of exclusion:

(a) The proper classification of lands and improvements;

(b) the size thereof;

(c) the effect of location on value;

(d) depreciation, including physical deterioration or functional, economic or social obsolescence;

(e) cost of reproduction of improvements;

(f) productivity taking into account all restrictions imposed by the state or federal government and local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families as authorized by section 42 of the federal internal revenue code of 1986, as amended;

(g) earning capacity as indicated by lease price, by capitalization of net income or by absorption or sell-out period;

(h) rental or reasonable rental values or rental values restricted by the state or federal government or local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families, as authorized by section 42 of the federal internal

ATTACHMENT A

revenue code of 1986, as amended;

(i) sale value on open market with due allowance to abnormal inflationary factors influencing such values;

(j) restrictions or requirements imposed upon the use of real estate by the state or federal government or local governing bodies, including zoning and planning boards or commissions, and including, but not limited to, restrictions or requirements imposed upon the use of real estate rented or leased to low income individuals and families, as authorized by section 42 of the federal internal revenue code of 1986, as amended; and

(k) comparison with values of other property of known or recognized value. The assessment-sales ratio study shall not be used as an appraisal for appraisal purposes.

Fair market value pursuant to this section does not apply to land devoted to agricultural use.

The appraisal process utilized in the valuation of all real and tangible personal property for ad valorem tax purposes shall conform to generally accepted appraisal procedures and standards which are consistent with the definition of fair market value unless otherwise specified by law.

Sec. 2. K.S.A. 79-503a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

BEFORE THE BOARD OF TAX APPEALS
STATE OF KANSAS

IN THE MATTER OF THE EQUALIZATION APPEAL OF HD DEVELOPMENT OF MARYLAND FOR THE YEAR 2018 IN RILEY COUNTY, KANSAS	Docket No. 2018-2047-EQ

FULL AND COMPLETE OPINION

Now the above-captioned matter comes on for consideration and decision by the Board of Tax Appeals of the State of Kansas.

The Taxpayer, HD Development of Maryland, appeared by R. Scott Beeler, Attorney, and Thomas Slack, Appraiser. Riley County, Kansas (the "County") appeared by Michael Montoya, Attorney; Tim Keller, Appraiser; and Steve Schurle, Commercial Real Estate Analyst.

On November 2, 2020 and January 12, 2021, the Board conducted an evidentiary hearing on these matters. On March 3, 2021, the parties filed their respective *Findings of Fact and Conclusions of Law*. On March 17, 2021, the Board issued its *Summary Decision*, and, on March 22, 2021, the County requested a *Full and Complete Opinion*.

After considering all of the evidence and arguments presented, the Board finds and concludes as follows:

Jurisdiction

The Board has jurisdiction of the subject matter and the parties, as an equalization appeal has been properly and timely filed pursuant to K.S.A. 2019 Supp. 79-1609. The tax year in issue is 2018.

Subject Property/Issues Presented

The subject property is a big-box retail store situated on approximately 12 acres of land at 605 S. Seth Childs Road in Manhattan, Kansas. The subject property has been assigned Parcel #ID 081-516-24-0-20-01-002.00-0 by the County. The subject property, operated as a Home Depot, is a one-story building constructed in 2002 with 97,241 square feet of gross building area. For the 2018 tax year, the subject property has a 2018 appraised value of $6,435,400.

The Taxpayer challenged the subject property's 2018 appraised value arguing that the County ignored controlling authority and applicable law as it appraised the subject property in a manner that does not take into account the subject property's fee simple market value. The County responds that its valuation evidence complies with applicable law, and takes into consideration all factors, including sales and rent from all market participants.

County Evidence

Steve Schurle, Commercial Real Estate Analyst, appeared as a witness for the County and testified regarding the County's valuation. Initially, the County appraised the subject property utilizing its cost approach that determined a value of $7,814,020 and its income approach that determined a value of $6,937,300. After the informal hearing, the County made adjustments to its income approach that reduced the subject property's 2018 appraised value to $6,435,400. The County presented its mass appraisal cost and income approaches, and the *2018 Riley County Capitalization Rate Study*.

In support of the subject property's current valuation, the County relied on an estimate of value determined by Timothy Keller, MAI, who compiled an appraisal that concluded an estimate of value of $7,200,000. Keller determined that the subject property was an investment class A property, and the property's highest and best use as improved was its existing use. Keller used all three recognized valuation approaches, relying primarily on his cost and income approaches.

Keller's cost approach examined sales of five comparable land parcels and performed appraisal adjustments to conclude a land value of $3,430,000 or $5 per square foot. Using the Marshall Valuation Service, Keller determined a replacement cost new (RCN) for the improvements of $6,090,519. Keller applied 36.30% total depreciation for a replacement cost new less depreciation (RCNLD) for the improvements of $3,879,660. Adding the land and improvements values produced a total value of $7,310,000.

Keller compiled a comparable sales approach, which examined the sales of four big-box properties in college towns – three in Lawrence, Kansas and one in Columbia, Missouri. Keller submitted that all of the comparables were situated on class A commercial corridors as was the subject property. After making appraisal adjustments for location/access, construction quality, age, and size, Keller determined an indicated value of $7,290,000.

For his income approach, Keller examined lease comparables based on traffic count, trade area population, and demographics. In addition, Keller considered the property's location in relation to other investment class A tenants in each market. Keller also consider land values and retails sales occurring in the trade area. Keller selected five comparables and made appraisal adjustments for location/access, construction quality, age, and size. Three of Keller's lease comparables were build-to-suit leases and two were second generation leases. Keller concluded a market lease rate of $6.25 per square foot. Keller applied a 5% vacancy and collection loss rate, and $0.36 per square foot in operating expenses for a net operating income after reserves of $542,726. Keller applied a 7.68% capitalization rate (7.5% base capitalization rate and a 0.18% effective tax rate) for an indicated value of $7,070,000.

In his reconciliation, Keller concluded that his comparable sales approach was his weakest valuation methodology as fee simple sales of newly constructed big-box stores rarely occur. Keller submitted that big-box properties that sell are typically older and located in`second tier locations. As such, Keller determined his cost and income approaches were his best estimates of value.

Bernie Shaner, MAI, appeared as a witness for the County and testified regarding his review of the Thomas Slack appraisal. Shaner questioned several of Slack's appraisal adjustments and investment class determination for the subject property, and argued that Slack did not give appropriate consideration for the current use of the subject property. The Taxpayer also presented testimony and photographs regarding the subject property's visibility from Seth Child Road.

Taxpayer Evidence

The Taxpayer presented an appraisal compiled by Thomas Slack, MAI, that determined a value of $4,070,000. Slack compiled all three recognized valuation approaches, yet he gave primary weight to his comparable sales approach as he found this his best methodology to determine the subject property's fee simple value.

Slack argued that the subject property's visibility is fair to poor as the site's elevation drops dramatically looking east of highway 113 (S. Seth Childs Road) toward the property, thereby limiting visibility of the subject improvement from the public roadway.

Slack argued that there were no sales of comparable big-box properties for 2018, and, in fact, the data reflected a negative absorption rate as a percentage of inventory for the period 2014 to 2018 as more properties were vacated in Manhattan, Kansas than were leased over that five year period. Moreover, Slack determined that neighborhood center data reflected that there was a zero percent growth in available square footage for the seven-year period from 2012 to 2018.

For his comparable sales approach, Slack focused on fee simple sales of comparable big-box properties. Slack selected twelve comparables, eleven of which were fee simple sales and one sale had a leased fee seller and a fee simple buyer. The properties were all freestanding buildings originally designed for single tenant retail use. Seven of the sales comparables were properties located in Kansas and these Kansas comparables all have improvements that were older than the subject property at 19 to 38 years old. Slack's five out of state sales comparables have improvements that range from 7 to 22 years in age. Slack submitted that his fee simple sales can be correlated to the fee simple value of the subject property and none required a property rights adjustment as would be needed for a leased fee sale. Slack presented demographic data for each of the sales, which he used in performing his appraisal adjustments.

In addition to these sales comparables, Slack discussed sales of Home Depot, Lowes, Walmart, and Target stores in other cities. Slack made appraisal adjustments for sale conditions/property rights, time/market conditions, location, age/condition, size/design, and land to building ratio. In all of his sales data, Slack found a pattern of recent market sales that ranged from $38 per square foot to $45 per square foot. Ultimately, Slack's sales approach determined an indicated value per square foot of $43 for a total indicated value of $4,070,000.

Slack's cost approach examined sales of five comparable land parcels and made appraisal adjustments to yield a land value of $1,850,000 or $3.50 per square foot. Slack asserted that there was a disparity in land sales of commercial retail property on the east side of Manhattan as opposed to the west side of Manhattan where the subject property is located. Using the Marshall Valuation Service, Slack determined a RCN for the improvements of $7,000,000. Slack applied 68% depreciation for a RCNLD for the improvements of $2,210,566. Adding the land and improvements values indicated a total value of $4,060,000.

For his income approach, Slack considered lease data from 35 big-box stores and selected 13 leases from larger, single-tenant big-box properties he found most comparable to the subject property. Slack utilized a of $5 per square foot market rental rate, an 8% vacancy and collection loss rate, and a $1.97 per square foot operating expense rate (offset by $1.71 per square foot of tenant reimbursed income) for a net operating income of $393,999. Slack applied a 9.70% capitalization rate (9.4% base capitalization rate plus 0.30% effective tax rate) for an indicated value of $3,760,000.

For his comparable sales approach, Slack focused on fee simple sales of comparable big-box properties and noted that he did not observe any such sales in

Manhattan, Kansas. Slack selected twelve comparables, eleven of which were fee simple sales and one sale had a leased fee seller and a fee simple buyer. The properties were all freestanding buildings originally designed for single tenant use retail use. Seven of the sales comparables were properties located in Kansas and these Kansas comparables all have improvements that are older than the subject property (19 to 38 years old). Slack's five out of state sales comparables have improvements that range from 7 to 22 years in age. Slack submitted that all of the fee simple sales can be correlated to the fee simple value of the subject property and none require a property rights adjustment as would be needed for a leased fee sale. Slack presented demographic data for each of the sales, which he used in making his appraisal adjustments.

In addition to these sales comparables, Slack discussed sales of Home Depot, Lowes, Walmart, and Target stores in other cities. Slack made appraisal adjustments for sale conditions/property rights, time/market conditions, location, age/condition, size/design, and land to building ratio. Slack found a pattern of recent market sales that ranged from $38 per square foot to $45 per square foot. Ultimately, Slack's sales approach determined an indicated value per square foot of $43 per square foot for a total indicated value of $4,070,000.

Slack placed most emphasis on his sales approach, and gave limited weight to his cost and income approaches for separate reasons. Slack concluded that fee simple interest sales indicated that his replacement costs new (RCN) or depreciated replacement costs (RCNLD) were not reflective of the market. Further, Slack concluded that his income approach was of limited value as market leases were not as reliable as market sales. Slack submitted that an income approach that determined a value for the fee simple required hypothetical capitalization rates based on hypothetical leases with undetermined lease terms and undetermined credit rating of tenants.

Applicable Law

Each parcel of non-agricultural real property in Kansas is appraised at its fair market value. *See* K.S.A. 79-501. The term "fair market value" is defined as that "amount in terms of money that a well-informed buyer is justified in paying and a well-informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion." *See* K.S.A. 2019 Supp. 79-503a.

K.S.A. 79-102 defines "real property" and "real estate" to "include not only the land itself, but all buildings, fixtures, improvements, mines, minerals, quarries, mineral springs and wells, rights and privileges appertaining thereto." Because real property is defined to include all rights and privileges appertaining thereto, it is the "fee simple interest" that is valued for ad valorem taxation purposes in the State of Kansas. "Kansas tax statutes do not use the term 'fee simple'; however, it is clear that the legislative intent underlying the statutory scheme of ad valorem taxation in our State has always been to appraise the property as if in fee simple." *In re Prieb Properties, L.L.C.*, 47 Kan.App.2d 122, 130, 275 P.3d 56. (2012). The "fee simple interest" denotes "absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by governmental powers of taxation, eminent domain, police power, and escheat." *The Appraisal of Real Estate,* Appraisal Institute 111 (13th ed. 2008).

The ad valorem tax appraisal process also shall conform to generally accepted appraisal procedures adaptable to mass appraisal and consistent with the definition of fair market value, unless otherwise specified by law. *See* K.S.A. 79-505. *See* K.S.A. 79-504; *In re Yellow Freight System*, Inc., 36 Kan.App.2d 210, 213, 137 P.3d 1051 (2006).

The subject property is owner-occupied real property used for commercial purposes; therefore, the County has the statutory burden of proof herein pursuant to K.S.A. 2019 Supp. 79-1609. The County has the duty to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of its valuation determination.

Board Findings and Conclusions

At hearing, the County requested the Board take administrative notice of *In the Matter of the Equalization Appeal of HD Development of Maryland for the Year 2016 and 2017 in Riley County, Kansas*, Docket Nos. *2016-3455-EQ et al., Full and Complete Opinion* issued November 7, 2019. The Board hereby takes administrative notice of these matters. These consolidated valuation appeals of six (6) Johnson County, Kansas Home Depots over two tax years were heard and decided by a prior Board panel. This prior panel, upon finding unreliable income and sales data from both parties, concluded that the Johnson County mass appraisal cost approach was the best indicator of value. *Id.* at p. 9. The Board of Tax Appeals is bound by the doctrine of *stare decisis* limited to published decisions of an appellate court. K.S.A. 74-2433(a). As such, this Board is not bound by this decision.

This appeal concerns the proper determination of the fair market value of the subject property. As in prior big-box appeals adjudicated before this tribunal, the appraisal experts are tasked with performing an appraisal that accurately determines the market value for the subject real property. *See In re Prieb Properties, L.L.C.*, 47 Kan.App.2d 122, 275 P.3d 56 (2012); *In re Equalization Appeal of ARC Sweet Life Rosehill*, No. 113,692, 2016 WL 3856666 (Kan. App. 2016) (unpublished); and *In re Equalization Appeal of Target Corporation*, 55 Kan.App.2d 234, 410 P.3d 939 (2017). In *Prieb*, the Kansas Court of Appeals specifically cautioned against the use of build-to-suit lease transactions (which the Court found to be essentially financing agreements not probative of market lease rates) as comparables in an income approach without a "disentanglement by adjustments." *Id.* at 136.

Herein, the County relied on the Keller appraisal, which placed most emphasis on Keller's cost and income approaches. Keller's income approach examined five lease comparables – three of which were build-to-suit leases (#1, #3, and #4), and two of which were second generation leases (#2 and #5). The Board finds no evidence indicating how Keller adhered to the *Prieb* mandate against using build-to-suit lease transactions without a "disentanglement by adjustments." *Id.* The Board finds no appraisal attempts by Keller to "tease out the business/intangible element of the going concern [for these build-to-suit lease comparables] and thereby arrive at the fair market value of the underlying real estate alone." *In re ARC Sweet Life Rosehill* at *4. Given that the majority of leases used in Keller's income approach do not comply with *Prieb*, the Board finds little, if any, probative value in this methodology.

Keller's comparable sales approach examined sales of three big-box properties from Lawrence, Kansas and one from Columbia, Missouri. The Board finds that Keller did not rely on this approach nor did his appraisal include significant discussion regarding this approach, as he noted the difficulty in finding fee simple sale comparables that were not significantly older and/or in locations that were inferior to that of the subject property. *See County Ex.* #1, *Keller Appraisal Reconciliation*, p. 74.

For his cost approach, Keller's land value was significantly greater than that determined by Slack ($5 per square foot for Keller and $3.50 per square foot for Slack) although the appraisers used many of the same land comparables. *County Ex. #2, p. 41* and *Taxpayer Ex. #1, p 45*. The Board finds that the land sale comparables, after adjustments, support Slack's contention that the land on the west side of Manhattan has greater market value than land on the east side of Manhattan where the subject property is located.

Keller's cost approach next concluded a total depreciation of 36.30%, whereas Slack concluded a total depreciation of 68%. A significant difference between these appraisals lied in the respective external obsolescence determinations. Using his improved sales comparables from his sales approach, Keller concluded that the subject property did not suffer from any external obsolescence. Slack, in contrast, determined substantial external obsolescence via his income analysis that compared the difference between the subject property's market income and the income the property would have to produce to be worth the physically depreciated cost. As

Keller himself concluded that there was significant disparity between his sales comparables and the subject property, the Board questions the accuracy of Keller's depreciation determination using these same sales comparables.

As stated above, Slack placed most weight on his sales approach. Slack's comparable sales approach relied on eleven fee simple sales and one leased fee sale. Seven of these comparables were located in Kansas with improvements generally older than the subject property, yet Slack also examined five out of State sales comparables that were very close to the subject property in age. The Board finds Slack presented detailed demographic data for all of these comparables, which he relied upon in performing appraisal adjustments to account for the differences between these comparables and the subject property. Slack also discussed sales of other big-box stores in other cities.

While the Board has not been persuaded that the subject property suffers from poor site visibility as asserted by the Taxpayer, the Board does find Slack's evidence of Manhattan's negative absorption rate as a percentage of inventory for the period 2014 to 2018 and zero percent growth in available square foot for the seven-year period from 2012 to 2018 to be uncontroverted. Overall, Slack competently selected comparables and performed appropriate appraisal adjustments to distill out the subject property's fee simple value and, therefore, appraise the subject property in accordance with applicable law. On balance, the Board finds Slack's appraisal to be more persuasive than the appraisal evidence presented by the County. For these reasons, and again noting that the material deficiencies in the Keller appraisal, the Board finds and concludes that the appraisal sponsored by Taxpayer expert Thomas Slack to be the best indicator of value presented. Therefore, the Board concludes that the appraised value of the subject property for the 2018 tax year is $4,070,000.

IT IS THEREFORE ORDERED that the appraised value of the subject property for 2018 is $4,070,000.

IT IS FURTHER ORDERED that the appropriate County officials shall correct their records to comply with this order, re-compute the taxes owed by the Taxpayer, and issue a refund for any overpayment.

Any party who is aggrieved by this order may file a written petition for reconsideration with this Board as provided in K.S.A. 77529 and K.S.A. 74-2426(b), and amendments thereto. The written petition for reconsideration shall set forth specifically and in adequate detail the particular and specific respects in which it is alleged that the Board's order is unlawful, unreasonable, capricious, improper or unfair. Any petition for reconsideration shall be mailed to the Secretary of the Board of Tax Appeals. The written petition must be received by the Board within

15 days of the certification date of this order (allowing an additional three (3) days for mailing pursuant to statute).

Rather than filing a petition for reconsideration, any aggrieved person has the right to appeal this order of the Board by filing a petition with the court of appeals or the district court pursuant to K.S.A. 74-2426(c)(4)(A), and amendments thereto. Any person choosing to petition for judicial review of this order must file the petition with the appropriate court within 30 days from the date of certification of this order. *See* K.S.A. 77-613(b) and (c) and K.S.A. 74-2426(c), and amendments thereto. Pursuant to K.S.A. 77-529(d), and amendments thereto, any party choosing to petition for judicial review of this order is hereby notified that the Secretary of the Board of Tax Appeals is to receive service of a copy of the petition for judicial review. Please note, however, that the Board would not be a party to any judicial review because the Board does not have the capacity or power to sue or be sued. *See* K.S.A. 74-2433(f), and amendments thereto.

The address for the Secretary of the Board of Tax Appeals is Board of Tax Appeals, Eisenhower State Office Building, 700 SW Harrison St., Suite 1022, Topeka, KS 66603. A party filing any written request or petition shall also serve a complete copy of any written request or petition on all other parties. Please be advised that the administrative appeal process is governed by statutes enacted by the legislature and no further appeal will be available beyond the statutory time frames.

IT IS SO ORDERED

THE KANSAS BOARD OF TAX APPEALS

THOMAS P. BROWNE, JR., CHAIR

KRISTEN D. WHEELER, MEMBER

VIRGINIA A. POWELL, MEMBER

ATTEST:

JOELENE R. ALLEN, SECRETARY

CERTIFICATION

I, Joelene R. Allen, Secretary of the Board of Tax Appeals of the State of Kansas, do hereby certify that a true and correct copy of this order in Docket No. 2018-2047-EQ and any attachments thereto, was placed in the United States Mail, on this 15th day of June, 2021, addressed to:

HD Development of Maryland
c/o Altus Group
605 S Seth Child Rd
Manhattan, KS 66502

R Scott Beeler, Attorney
Lathrop and GPM LLP
10851 Mastin Blvd Ste 1000
Overland Park, KS 66210-1669

Greg McHenry, Riley County Appraiser
Riley County Courthouse
110 Courthouse Plz 3rd Fl
Manhattan, KS 66502-0110

Michael Montoya, Riley County Attorney
Montoya Law Offices
PO Box 1220
Salina, KS 67402-1220

Shilo Heger, Riley County Treasurer
Riley County Courthouse
110 Courthouse Plaza
Manhattan, KS 66502-0108

IN TESTIMONY WHEREOF, I have hereunto subscribed my name at Topeka, Kansas.

Joelene R. Allen

Joelene R. Allen, Secretary

Quick Ref	Address	Name	2020 Fair Market Value	2021 Assessed Value	2020 Taxes	2018 Value	2018 Taxes
R21281	605 S seth Child Rd	Home Depot	$7,200,000	$1,800,000	$279,489.60	$6,435,400	$239,007.54
R21288	800 Commons Pl	Target	$9,850,000	$2,462,500	$382,357.30	*has specials not included in	
R16204	2719 Anderson Ave	Walgreens (West)	$2,715,200	$678,800	$105,398.80		
R9847	325 Bluemont Ave	Walgreens (East)	$2,398,740	$599,685	$93,114.30		
R9846	00000 Bluemont Ave	Parking	$133,660	$33,415	$5,188.42		
R9848	308 Moro St	Parking	$119,500	$29,875	$4,638.76		
		Total	$2,651,900	$662,975	$102,941		
R9850	601 3rd Pl	Hy-Vee	$6,750,000	$1,687,500	$262,021.50		
R9857	425 3rd Pl	Manhattan Market Place (Bed Bath & Beyond)	$4,585,000	$1,146,250	$177,980.70		
R9845	705 3rd Pl	Manhattan Market Place (Multi-Tenant)	$2,100,000	$525,000	$81,517.80		
R302812	409 3rd Pl	Manhattan Market Place (vacant)	$745,000	$186,250	$28,919.58		
		Total	$7,430,000	$1,857,500	$288,418		
		Grand Total	**$36,597,100**	**$9,149,275**	**$1,420,627**		

Total Tax Reduction Tax Rep is Seeking for 2020 (45% reduction) **$639,305**

Total Tax Reduction Tax Rep is seeking for 2018 (45% reduction) **$107,554**

Total Taxes Currently at Stake **746,859**

ATTACHMENT C

KANSAS ASSOCIATION OF COUNTIES

KANSAS ASSOCIATION OF COUNTIES

Legislative Request Form | 2022 Legislative Session

Instructions: Three entities are eligible to submit a policy request. They are: (1) a member county, (2) a KAC affiliate organization, or (3) a KAC associate organization. Any county official submitting a request must have support from the official's respective county or affiliate/associate organization before submission. It is preferred that all requests also include a prior discussion with a Kansas legislator before submission. Please submit requests typed on this form. Do not submit handwritten forms. Deadline for submitting this request form: **Friday, July 23, 2021**.

1. Contact Information

Name:	Clancy Holeman
Title:	County Counselor
Entity:	Riley County
Telephone:	785-565-6844
Email:	choleman@rileycountyks.gov

2. Describe the legislative issue.

In **December, 2018** an article appeared in the Kansas Government Journal titled ""The Impact of Demand Transfer Losses." It described revenue losses to Kansas counties and cities resulting from the state's failure to fund for distribution the following 3 "demand transfer" sources: Local Ad Valorem Tax Reduction Fund (LAVTRF); County City Revenue Sharing (CCRS); and Special City-County Highway Fund (SCCHF).

Through state fiscal year **2018**, losses to counties and cities from the above missing promised dollars totaled over $2 ½ billion dollars.

3. Describe any history on the issue.

In **January, 2019** the Riley County Commission sent a letter to Governor Kelly requesting an independent audit to determine how the state spent the $2 ½ billion dollars promised to counties and cities (Attachment A). That letter included two pages from the December, 2018 Kansas Government Journal article which had detailed the statewide dollar losses from the state's failure to fund the above 3 "demand transfer" funds (Attachment A).

4. Why does the issue need legislative resolution?

During the **2019** Kansas legislative session, SB 190 was introduced, with the goal of **repealing entirely** both the LAVTR and CCRSF "demand transfer" funds.

The Riley County Commission responded with an **April 22, 2019** letter to various legislative leaders, voicing the Board's opposition to its SB 190's proposed repeal of the LAVTR and CCRSF "demand transfer" funds (Attachment B).

May 1, 2019, I explained in an email to legislative leaders why the Riley County Commission believed the state's proposed "competitive process" for counties wanting state funding support for highway projects was a poor substitute for the absence of LAVTR and CCRSF funds (Attachment C).

5. Who will support the legislation? Who will oppose it?

August 29, 2019, the Riley County Commission convened a "legislative summit," inviting regional counties to join forces and encourage the legislature to resume funding of LAVTR and other "demand transfer" funds (Attachment D).

6. Do other counties support or oppose the legislation? Why or why not?

Based upon feedback from other counties who attended the foregoing Riley County "legislative summit," we believe there is broad support for a resumption of state payments in the form of "demand transfers." The statutes creating those funds recognized an effective way to encourage lower property taxes by local government was to return some portion of state receipts to counties and cities. Logic suggests that strategy should still work—provided the state actually funds those transfers.

7. Does this issue or problem have statewide effects and why?

The statewide effects created by the state's failure to fund **two** of these "demand transfer" funds (excluding "subdistributions to cities" and other "local taxing authorities" as of **November 19, 2019** is set out "county-by-county" in a document created by the Kansas Legislative Research

Department (Attachment E). Actual revenue losses to all counties, just from not those two funds, and just from then-available state funds are significant (Attachment E).

8. Has this legislation had previous introductions at the Legislature? If so, when?

   No legislation was introduced by Riley County.

9. Which legislator did you approach and what was the response? Who will champion this bill during the legislative session?

   We believe the Riley County delegation will support an effort to resume these "demand transfers." We will confirm that at Riley County's annual fall legislative conference with our delegation.

10. When (specific date) did your county, affiliate, or associate approve this proposal?

    The Riley County Commission approved this proposal during its July 8, 2021 public meeting.

11. Will you be present at the KAC Annual Conference during the legislative policy discussion to advocate for, and answer questions relating to, this legislation?

    Yes.

12. Attach any helpful documentation.

    See Attachments A, B, C, D & E.

PLEASE ANSWER ALL QUESTIONS TO ENSURE THAT THE COMMITTEE GIVES THOROUGH CONSIDERATION OF YOUR REQUEST

Please return to: Jay Hall, KAC Legislative Policy Director and General Counsel

hall@kansascounties.org

Kansas Association of Counties, 715 SW 10th Avenue, Topeka, Kansas 66612

Deadline for Submission: July 23, 2021

RILEY COUNTY

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

BOARD OF COMMISSIONERS

January 31, 2019

The Honorable Laura Kelly
Office of the Governor
Capitol, 300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

Re: Demand Transfer Losses to Riley County and Statewide to Local Governments

Dear Governor Kelly:

On behalf of a unanimous Board of Riley County Commissioners, I respectfully request you appoint an independent auditor, at State of Kansas expense, to determine precisely how money due local governments was spent by the State of Kansas. The auditor should not be an employee of the State of Kansas, to ensure transparency.

I have enclosed a copy of an article which appeared in the December, 2018 issue of "Kansas Government Journal." Titled "The Impact of Demand Transfer Losses," the article identifies significant dollar losses to Kansas counties and cities. These revenue losses to local government are the direct result of the Kansas Legislature's refusal to make demand transfers required by statute from fiscal year 2001 (or fiscal year 2009) through fiscal year 2018. Those missing demand transfers were to come from the following state funds: Local Ad Valorem Tax Reduction Fund (LAVTRF); County City Revenue Sharing (CCRS); and Special City-County Highway Fund (SCCHF).

To sum up the enclosed article, these missing state funds due counties and cities reached the following subtotals through fiscal year 2018: LAVTRF--$1,260,628,101; CCRS--$1,006,713,076; SCCHF--$324,192,706.

Through fiscal year 2018 these missing revenue owed Kansas counties and cities totaled $2,591,533,883.

When we ask legislators about returning this revenue to Kansas counties and cities, we are routinely told, "The money has already been spent by the state."

ATTACHMENT A

The point is, our constituents, and we as their local governing body, simply want to know this: What did the state spend it on?

Respectfully,

Board of Riley County Commissioners

Ronald E. Wells

Ronald E. Wells, Chairman

cc: Marvin Rodriguez, Vice Chairman, Board of Riley County Commissioners
John Ford, Member, Board of Riley County Commissioners
Riley County Legislative Delegation

The Impact of Demand Transfer Losses

By Chardae Caine, Research Associate, League of Kansas Municipalities

The Kansas Legislature continues to implement budget and tax policies with negative repercussions on local governments' finances. The property tax lid demonstrates this through requiring a city or county to hold an election for any increase in property tax revenue collected at a rate higher than inflation, as measured by the Consumer Price Index (CPI). While a majority of cities are attempting to delay the need for an election by making budget adjustments, other cities needed to hold an election. Similarly, the legislature's decision to not fund demand transfers over the past 15 years is another example of the influence state decisions have on local governments and the services that can be provided to Kansas residents.

Reduction in LAVTRF

Fiscal Year	Statute	Actual	Loss
2001	$60,315,000	$54,139,000	$6,176,000
2002	$61,980,000	$54,680,000	$7,300,000
2003	$62,431,000	$26,247,000	$36,184,000
2004	$64,636,000	$0	$64,636,000
2005	$66,521,000	$0	$66,521,000
2006	$66,682,000	$0	$66,682,000
2007	$71,233,000	$0	$71,233,000
2008	$71,063,598	$0	$71,063,598
2009	$69,860,878	$0	$69,860,878
2010	$67,430,000	$0	$67,430,000
2011	$81,788,000	$0	$81,788,000
2012	$87,665,000	$0	$87,665,000
2013	$92,021,000	$0	$92,021,000
2014	$88,644,600	$0	$88,644,600
2015	$90,203,785	$0	$90,203,785
2016	$96,519,286	$0	$96,519,286
2017	$96,940,047	$0	$96,940,047
2018	$99,759,907	$0	$99,759,907
Total Through FY 2018:	$1,395,694,101	$135,066,000	$1,260,628,101

Since 2001, cities and counties in Kansas have lost at least $2,591,533,883 as a result of the State's decision not to fund demand transfers. It is very important to note that while some of these monies are often referred to as "state aid" in budget documents, the history of these funds does not support that classification. The LATVRF and the CCRS funds (explained below) were part of an agreement between the State and local governments that involved the loss of revenue sources in exchange for the establishment of these funds. The past 18 years are illustrated on data tables provided with this document.

LAVTRF (Local Ad Valorem Property Tax Reduction)

Established under K.S.A. 79-2959, LAVTRF is currently supposed to transfer 3.63% of state sales and use taxes to cities and counties. Revenue sharing in this manner dates to the 1930s with the current statutory framework being established in 1965. At that time, the local share of certain cigarette revenue stamp taxes and cereal malt beverage taxes were rolled into the state general fund and a direct transfer was made into the LAVTRF to replace the loss of these funds (Kansas Session Laws, Chapter 530, 1965). Since 2001, Kansas cities and counties have not received $1,260,628,101 in LAVTRF funding.

CCRS (County City Revenue Sharing)

Established under K.S.A. 79-2964, CCRS is supposed to transfer 2.823% of state sales and use taxes to cities and counties. CCRS was established in 1978 as part of an agreement between the State and local governments regarding several different taxes. In particular, the local share of cigarette and liquor enforcement tax revenues was traded for the establishment of the CCRS (Kansas Session Laws, Chapter 401, 1978). Since 2001, Kansas cities and counties have not received $1,006,713,076 in CCRS revenue sharing.

Reduction in CCRS

Fiscal Year	Statute	Actual	Loss
2001	$46,004,000	$34,531,000	$11,473,000
2002	$46,901,000	$34,876,000	$12,025,000
2003	$47,868,000	$16,741,000	$31,127,000
2004	$51,564,063	$0	$51,564,063
2005	$53,422,952	$0	$53,422,952
2006	$56,609,567	$0	$56,609,567
2007	$57,920,881	$0	$57,920,881
2008	$55,206,431	$0	$55,206,431
2009	$54,329,823	$0	$54,329,823
2010	$52,570,000	$0	$52,570,000
2011	$63,606,000	$0	$63,606,000
2012	$68,175,000	$0	$68,175,000
2013	$71,563,000	$0	$71,563,000
2014	$68,937,660	$0	$68,937,660
2015	$70,150,216	$0	$70,150,216
2016	$75,061,693	$0	$75,061,693
2017	$75,388,912	$0	$75,388,912
2018	$77,581,878	$0	$77,581,878
Total Through FY 2018:	$1,092,861,076	$86,148,000	$1,006,713,076

Reduction in SCCHF

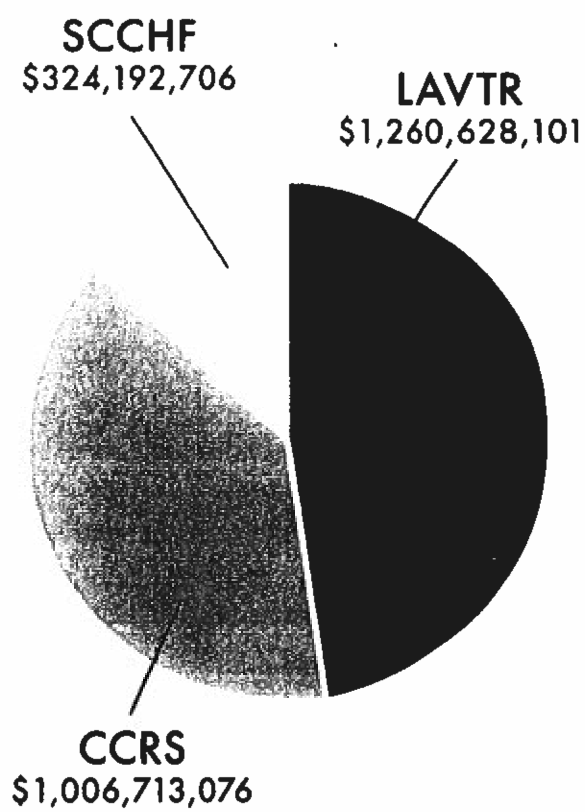
Fiscal Year	Statute	Actual	Loss
2001	$18,068,010	$10,343,000	$7,725,010
2002	$15,729,000	$10,447,000	$5,282,000
2003	$19,498,652	$10,063,000	$9,435,652
2004	$20,454,000	$5,032,000	$15,422,000
2005	$22,056,000	$10,064,000	$11,992,000
2006	$25,811,513	$10,064,000	$15,747,513
2007	$29,031,000	$10,064,000	$18,967,000
2008	$29,685,531	$10,064,000	$19,621,531
2009	$22,000,000*	$0	$22,000,000
2010	$22,000,000*	$0	$22,000,000
2011	$22,000,000*	$0	$22,000,000
2012	$22,000,000*	$0	$22,000,000
2013	$22,000,000*	$0	$22,000,000
2014	$22,000,000*	$0	$22,000,000
2015	$22,000,000*	$0	$22,000,000
2016	$22,000,000*	$0	$22,000,000
2017	$22,000,000*	$0	$22,000,000
2018	$22,000,000*	$0	$22,000,000
Total Through FY 2018:	$400,333,706	$76,141,000	$324,192,706

SCCHF (Special City-County Highway Fund)

Established under K.S.A. 79-3425(I), this portion of the Special City-County Highway Fund is funded by the motor vehicle property tax. The other portion of SCCHF is funded by the motor fuels tax and transfers from that portion of the fund have not been reduced to date. Since 2001, Kansas cities and counties have not received $324,192,706 in CCRS revenue sharing.

Chardae Caine *is the Research Associate for the League of Kansas Municipalities. She can be reached at ccaine@lkm.org or (785) 354-9565.*

Total of All Demand Transfer Losses Since 2001



Total: $2,591,533,883

RILEY COUNTY

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

BOARD OF COMMISSIONERS

April 22, 2019

RE: Local Officials Opposition to S.B. 190

We, the undersigned local government officials, strongly object to Section 3 of S.B. 190.

Section 3's single sentence repeals the "Local ad valorem tax reduction fund" (LAVTR) and the "County and City Revenue Sharing Fund."

The balance of S.B. 190 is worthy of discussion only if Section 3 is stricken as shown on the enclosure.

Please join us in taking action to delete Section 3 from S.B. 190.

Board of Riley County Commissioners

Ronald E. Wells, Chairman

Marvin Rodriguez, Vice Chairman

John Ford, Member

Rich Vargo, County Clerk

COUNTY CLERK (seal) Seal RILEY COUNTY, KANSAS

ATTACHMENT B

Clancy Holeman

From: Clancy Holeman
Sent: Wednesday, May 1, 2019 1:10 PM
To: Carolyn.McGinn@senate.ks.gov; Rick.Billinger@senate.ks.gov
Subject: Local Government Opposition to S.B. 190
Attachments: SB.190.opposition.ltr.BOCC.RCPD.Geary.pdf

Wednesday, May 1, 2019

Senator Carolyn McGinn
Chair, Senate Ways & Means

Senator Rick Billinger
Vice Chair, Senate Ways & Means

Senator John Skubal
Chair, Transportation Subcommittee,
Senate Ways & Means

Dear Senators McGinn, Billinger and Skubal:

I have attached a letter of opposition to S.B. 190. My client, the Board of Riley County Commissioners, unanimously objects to its passage for the following three primary reasons:

1. It extends from 3 to **6** years the on-going suspension of LAVTR and County/City Revenue Sharing;
2. It substitutes for full funding of those two statutes a competitive application process by local governments, limited to local road and bridge projects.
3. It contains no standards by which competing local projects will be judged by the Secretary.

While my client understands "something is better than nothing," the merits of S.B. 190 do not warrant its passage. My client, along with the Director of the Riley County
Police Department and the Chair of the Geary County Commission believe a far better approach is to begin the full funding of LAVTR and County/City Revenue sharing,
as is promised in existing law.

Thank you for your attention to our local officials' request. I would be glad to answer any questions you may have, or provide any additional information you request.

Clancy Holeman
Riley County Counselor
115 N. 4th St., 3rd Flr. West
Manhattan, Kansas 66502
(785) 565-6844
choleman@rileycountyks.gov

ATTACHMENT C

RILEY COUNTY

115 N. 4th Street, 1st Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: bocc@rileycountyks.gov

BOARD OF COMMISSIONERS

July 22, 2019

Ed Eilert, Chair
Johnson County Board of Commissioners
c/o Johnson County Clerk's Office
111 S. Cherry Street, Suite 3300
Olathe, KS 66061

Robert Vidricksen II, Chair
Saline County Board of Commissioners
c/o Saline County Clerk's Office
PO Box 5040
Salina, KS 67402

Phil Dixon, Chairman
Miami County Board of Commissioners
c/o Miami County Clerk's Office
201 S. Pearl, Suite 200
Paola, KS 66071

Doug Smith, Chair
Leavenworth County Board of Commissioners
c/o Leavenworth County Clerk's Office
300 Walnut Street, Suite 225
Leavenworth, KS 66048

Karen S. Brumbaugh, Commissioner
Ottawa County Board of Commissioners
c/o Ottawa County Clerk's Office
307 N. Concord, Suite 201
Minneapolis, KS 67467

Gary Caspers, Chair
Cloud County Board of Commissioners
c/o Cloud County Clerk's Office
811 Washington
Concordia, KS 66901

Lynn Peterson, Chair
Dickinson County Board of Commissioners
c/o Dickinson County Clerk's Office
109 E. First Street, Suite 205
Abilene, KS 67410

Wayne Ledbetter, Chair
Jefferson County Board of Commissioners
c/o Jefferson County Clerk's Office
PO Box 321
Oskaloosa, KS 66066

Shannon M. McCormick, Chair
Kearny County Board of Commissioners
c/o Kearny County Clerk's Office
PO Box 86
Lakin, Kansas 67860

Travis Altenhofen, Chair
Pottawatomie County Board of Commissioners
c/o Pottawatomie County Clerk's Office
PO Box 187
Westmoreland, KS 66549

Charles Stimatze, Chair
Geary County Board of Commissioners
c/o Geary County Clerk's Office
200 East 8th
Junction City, KS 66441

Re: Invitation to County Statewide Legislative Summit

Commissioners:

The Board of Riley County Commissioners invites you to attend a state legislative summit in these chambers on August 29, 2019, from 10:00 o'clock a.m. to 12:00 o'clock p.m. Counties have traditionally worked well together on matters of common concern before the Kansas legislature. But it is time to add to those efforts visible coordination between the state legislative delegations in our individual counties.

Every year Riley County hosts a conference/luncheon with our state legislative delegation. Those meetings have resulted in agreement between our delegation and this Board on various items of pending state legislation. Our delegation has thereafter done a good job supporting bills this Board believes are sound legislative policy and opposing bills we believe are not. But we now believe larger legislative coalitions between counties must be created to deal with the following issues:

S.B. 190: This did not pass during the 2019 legislative session. But it will remain available for passage next session. If enacted, it harms all counties. Most importantly, it ignores the over $2 Billion dollars in LAVTR payments the state should have transferred to counties statewide under the existing LAVTR statute. (See the enclosed article written on behalf of the League of Kansas Municipalities). Instead of repaying counties the LAVTR funds the state owes us all, S.B. 190 offers local governments the "opportunity" to compete with one another for partial state funding of highway projects. Before Riley County can support S.B. 190, the state should resume LAVTR payments to all counties.

"Dark Store" Property Appraisal Theory: This novel real property appraisal method has begun to be used successfully by "big box" retailers in their property tax appeal hearings before the Kansas Board of Tax Appeals (BOTA). The potential tax base reductions for any county facing such an appeal are significant. That's because there is the very real possibility "Dark Store" theory may be extended to smaller retailers—possibly even to residential properties. Routinely, those beginning such a BOTA appeal demand the County's real property appraised value at issue be reduced by at least 40%. Since BOTA issued a recent decision saying this theory was a better measure of "fair market value" than generally accepted mass appraisal methods, the danger to county revenue is real. All "Dark Store" appraisals depend upon the taxpayer's use in litigation of a "hypothetical lease fee." For that reason, Riley County plans to introduce a bill defining "fair market value" to exclude "hypothetical lease fee." (See the enclosed bill.)

HCR 5007: Riley County introduced this resolution during the 2019 legislative session. It extends constitutional protection to every county's power of home rule. This is intended to make it more difficult for the legislature to further restrict county home rule, beyond the 30-plus current restrictions which exist. We believe all counties ought to have constitutional protection of their home rule authority, just as cities already have.

The goal of this summit will be to get all counties attending to agree on a strategy to coordinate action by our respective state legislative delegations on the above issues. Let's no longer be satisfied with a delegation which works hard to vote the "right" way on our behalf. Instead, let's find a way to encourage them all to work together, and take advantage of their strength in numbers.

Please RSVP by contacting our County Counselor, Clancy Holeman, 115 N. 4th Street, 3d Floor West, Manhattan, KS, 66502, 785-565-6844, choleman@rileycountyks.gov. You may do so by mail, phone call or email.

We look forward to seeing you at the summit, and to working with you for the benefit of all our constituents afterward.

Sincerely,

BOARD OF COMMISISONERS
OF RILEY COUNTY, KANSAS

Ronald E. Wells, Chairman

Marvin Rodriguez, Vice Chairman

John Ford, Member

The Impact of Demand Transfer Losses

By Chardae Caine, Research Associate, League of Kansas Municipalities

The Kansas Legislature continues to implement budget and tax policies with negative repercussions on local governments' finances. The property tax lid demonstrates this through requiring a city or county to hold an election for any increase in property tax revenue collected at a rate higher than inflation, as measured by the Consumer Price Index (CPI). While a majority of cities are attempting to delay the need for an election by making budget adjustments, other cities needed to hold an election. Similarly, the legislature's decision to not fund demand transfers over the past 15 years is another example of the influence state decisions have on local governments and the services that can be provided to Kansas residents.

Since 2001, cities and counties in Kansas have lost at least $2,591,533,883 as a result of the State's decision not to fund demand transfers. It is very important to note that while some of these monies are often referred to as "state aid" in budget documents, the history of these funds does not support that classification. The LATVRF and the CCRS funds (explained below) were part of an agreement between the State and local governments that involved the loss of revenue sources in exchange for the establishment of these funds. The past 18 years are illustrated on data tables provided with this document.

Reduction in LAVTRF

Fiscal Year	Statute	Actual	Loss
2001	$60,315,000	$54,139,000	$6,176,000
2002	$61,980,000	$54,680,000	$7,300,000
2003	$62,431,000	$26,247,000	$36,184,000
2004	$64,636,000	$0	$64,636,000
2005	$66,521,000	$0	$66,521,000
2006	$66,682,000	$0	$66,682,000
2007	$71,233,000	$0	$71,233,000
2008	$71,063,598	$0	$71,063,598
2009	$69,860,878	$0	$69,860,878
2010	$67,430,000	$0	$67,430,000
2011	$81,788,000	$0	$81,788,000
2012	$87,665,000	$0	$87,665,000
2013	$92,021,000	$0	$92,021,000
2014	$88,644,600	$0	$88,644,600
2015	$90,203,785	$0	$90,203,785
2016	$96,519,286	$0	$96,519,286
2017	$96,940,047	$0	$96,940,047
2018	$99,759,907	$0	$99,759,907
Total Through FY 2018:	$1,395,694,101	$135,066,000	$1,260,628,101

LAVTRF (Local Ad Valorem Property Tax Reduction)

Established under K.S.A. 79-2959, LAVTRF is currently supposed to transfer 3.63% of state sales and use taxes to cities and counties. Revenue sharing in this manner dates to the 1930s with the current statutory framework being established in 1965. At that time, the local share of certain cigarette revenue stamp taxes and cereal malt beverage taxes were rolled into the state general fund and a direct transfer was made into the LAVTRF to replace the loss of these funds (Kansas Session Laws, Chapter 530, 1965). Since 2001, Kansas cities and counties have not received $1,260,628,101 in LAVTRF funding.

CCRS (County City Revenue Sharing)

Established under K.S.A. 79-2964, CCRS is supposed to transfer 2.823% of state sales and use taxes to cities and counties. CCRS was established in 1978 as part of an agreement between the State and local governments regarding several different taxes. In particular, the local share of cigarette and liquor enforcement tax revenues was traded for the establishment of the CCRS (Kansas Session Laws, Chapter 401, 1978). Since 2001, Kansas cities and counties have not received $1,006,713,076 in CCRS revenue sharing.

Local Ad Valorem Tax Reduction Fund (LAVTRF) and County and City Revenue Sharing Fund (CCRSF) Estimated Distributions (Excludes subdistributions to Cities and Local Taxing Authorities)

County	LAVTRF Available	CCRSF Available	TOTAL	County	LAVTRF Available	CCRSF Available	TOTAL
Johnson County	$ 12,352,115	$ 17,608,326	$29,960,441	Wabaunsee County	$ 129,019	$ 183,921	$312,941
Sedgwick County	8,714,863	12,423,310	21,138,173	Pawnee County	124,218	177,077	301,295
Shawnee County	3,040,975	4,335,005	7,375,979	Ellsworth County	131,470	187,414	318,884
Wyandotte County	2,653,323	3,782,395	6,435,718	Mitchell County	118,297	168,636	286,933
Douglas County	2,143,526	3,055,664	5,199,190	Greenwood County	110,084	156,928	267,012
Leavenworth County	1,306,747	1,862,809	3,169,556	Gray County	126,211	179,918	306,130
Riley County	1,266,117	1,804,889	3,071,006	Sherman County	125,174	178,439	303,612
Butler County	1,183,917	1,687,711	2,871,627	Ottawa County	114,125	162,688	276,813
Reno County	1,081,084	1,541,119	2,622,203	Harper County	122,525	174,664	297,189
Saline County	984,446	1,403,358	2,387,804	Stevens County	131,179	187,000	318,179
Crawford County	613,970	875,233	1,489,203	Morris County	107,685	153,508	261,193
Finney County	714,503	1,018,546	1,733,049	Washington County	119,692	170,625	290,317
Geary County	562,792	802,278	1,365,071	Norton County	100,698	143,548	244,246
Cowley County	573,139	817,027	1,390,166	Phillips County	99,326	141,592	240,918
Harvey County	581,353	828,736	1,410,089	Rooks County	106,049	151,176	257,225
Ford County	582,096	829,796	1,411,892	Scott County	108,118	154,126	262,244
Montgomery County	583,716	832,105	1,415,821	Barber County	117,370	167,315	284,685
Lyon County	571,648	814,903	1,386,551	Republic County	98,517	140,439	238,957
Miami County	605,565	863,251	1,468,816	Meade County	109,749	156,450	266,199
Ellis County	558,183	795,708	1,353,891	Stafford County	98,555	140,494	239,049
McPherson County	585,301	834,365	1,419,666	Haskell County	110,548	157,590	268,138
Barton County	467,612	666,595	1,134,207	Kearny County	98,471	140,373	238,843
Franklin County	435,670	621,062	1,056,732	Smith County	74,997	106,910	181,907
Sumner County	421,397	600,714	1,022,111	Osborne County	74,778	106,598	181,376
Pottawatomie County	578,430	824,570	1,403,000	Chautauqua County	58,820	83,850	142,670
Seward County	418,233	596,205	1,014,438	Woodson County	58,277	83,075	141,352
Labette County	318,755	454,395	773,149	Lincoln County	68,268	97,319	165,587
Cherokee County	337,526	481,154	818,680	Rush County	64,435	91,853	156,288
Dickinson County	344,233	490,715	834,949	Ness County	74,740	106,544	181,283
Jefferson County	317,493	452,596	770,090	Jewell County	68,750	98,005	166,755
Atchison County	285,105	406,426	691,532	Edwards County	63,438	90,433	153,871
Neosho County	265,920	379,077	644,997	Morton County	72,188	102,906	175,093
Osage County	268,854	383,260	652,114	Trego County	64,791	92,362	157,153
Bourbon County	232,829	331,906	564,735	Decatur County	65,621	93,545	159,166
Jackson County	222,903	317,755	540,657	Logan County	67,942	96,853	164,795
Allen County	231,152	329,515	560,667	Cheyenne County	58,784	83,799	142,583
Marion County	216,115	308,079	524,194	Chase County	58,472	83,353	141,825
Nemaha County	211,219	301,100	512,319	Gove County	68,926	98,255	167,181
Rice County	196,478	280,086	476,564	Hamilton County	53,399	76,122	129,521
Marshall County	209,559	298,733	508,293	Elk County	45,368	64,673	110,041
Brown County	212,291	302,627	514,918	Graham County	62,173	88,629	150,802
Pratt County	206,175	293,909	500,084	Kiowa County	74,734	106,535	181,268
Linn County	248,530	354,287	602,817	Rawlins County	62,119	88,553	150,672
Cloud County	167,831	239,248	407,080	Sheridan County	63,115	89,972	153,087
Wilson County	159,445	227,293	386,738	Wichita County	52,421	74,728	127,149
Coffey County	390,958	557,324	948,282	Stanton County	52,850	75,339	128,189
Clay County	155,595	221,806	377,401	Clark County	46,252	65,934	112,185
Thomas County	166,025	236,674	402,698	Hodgeman County	42,841	61,072	103,913
Anderson County	146,052	208,201	354,253	Comanche County	39,215	55,902	95,116
Doniphan County	164,555	234,578	399,132	Lane County	42,611	60,744	103,356
Grant County	180,120	256,767	436,888	Wallace County	40,516	57,757	98,274
Kingman County	146,143	208,331	354,474	Greeley County	34,046	48,533	82,579
Russell County	135,453	193,092	328,545				

Total CCRSF	$ 76,978,689
Total LAVTRF	54,000,000
Grand Total	**$ 130,978,689**

ATTACHMENT E

Attachment: Exhibit 3 (10957 : Legislative Request Forms)

COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES
Agreement

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: **Clancy Holeman, Riley County Counselor**

MEETING: **July 8, 2021**

SUBJECT: **Possible Cancellation of Beer Sales at the Kaw Valley Rodeo During the 2021 Riley County Fair**

PRESENTER: **Clancy Holeman**

BACKGROUND

As described to this Board previously, past years of beer sales within the rodeo arena during the Riley County Fair have been conditioned upon two things. First, the Riley County Fair Board must approve such sales. Second, any vendor of those sales must provide this office documentation from their insurer the liability insurance coverage paid for by the vendor is in place well before the event.

That liability insurance coverage protects not only the Board of Riley County Commissioners. It also protects the Fair Board and Kaw Valley Rodeo Association, along with the individual members of both the Fair Board and Rodeo Association. Without that insurance coverage, the Board of Riley County Commissioners, the Riley County Fair Board, the Kaw Valley Rodeo Association, and all their individual members, have potential liability for damage lawsuits (and the attorney fees incurred to defend themselves) if anyone brings a claim for personal injury arguably resulting from those beer sales.

Such a claim could be brought as a result of a vehicle accident following beer consumption at the event, or as a result of personal injuries sustained at the event, or outside the arena. Any number of circumstances can lead to such a claim--whether the claim has merit or not. And as almost anyone knows, the costs necessarily incurred to avoid even a groundless claim filed in court can be significant.

DISCUSSION

The Fair Board has long ago approved beer sales. The Fair Board has complied with its obligations regarding beer sales and this event. But despite multiple attempts to contact the proposed beer vendor and obtain documentation of the insurance coverage required in the "indemnity agreement" for this event, I've received nothing sufficient for review as of the time this is submitted.

FISCAL IMPACT

This Board has been advised in the past that beer sales during the rodeo encourage larger numbers of paying audience members. And that translates into better ticket sale receipts and larger potential "winnings" for successful contestants. The Board has been told in the past this last fact means a more experienced field of competitors will attend this rodeo instead of than competing rodeos with larger prizes available.

But in my opinion there is a more important direct fiscal impact to this Board, the Fair Board and the Kaw Valley Rodeo Association. That is the potential uninsured losses resulting from any beer-sales- related personal injuries resulting during or after the fair.

RECOMMENDATION(S)

Unless I have the necessary documentation in hand showing the required insurance coverage before the beginning of today’s public meeting, I recommend you authorize me to notify the potential vendor, the Fair Board and the Rodeo Association this potential vendor will not be allowed to sell beer in the arena during the upcoming fair.

POSSIBLE MOTION(S)

A. "I move counsel's recommendation be accepted."

B. "I move counsel's recommendation not be accepted"

Enclosures:

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

RILEY COUNTY

PUBLIC WORKS
Project

COMMISSION AGENDA REPORT

FROM: **John Ellermann, Public Works Director**

MEETING: **July 8, 2021**

SUBJECT: **First Christian Church Asbestos Abatement & Demolition**

PRESENTER: **John Ellermann**

BACKGROUND

At a recent Commission the Board instructed Public Works to put together bid documents for the abatement of the asbestos and demolition of the old First Christian Church located at 115 Courthouse Plaza. The property was purchased to be used as a new county office complex in the future to satisfy existing space needs.

DISCUSSION

Bid documents are for the asbestos abatement and building demolition are ready to be sent out. There will be a 3 week advertising period and a mandatory pre-bid meeting about a week before bids are opened. The earliest bids can be opened is August 5th.

With the arrival of the attached letter from the State Historical Society there is a need for some discussion about how to proceed. Options include: 1) Postponing both the asbestos abatement and demolition until after the State Historical Society decision. 2) Continue with the asbestos abatement project and postponing the demolition. 3) Proceed with both the asbestos and demolition projects.

FISCAL IMPACT

Depending on the above discussion. Both projects will be funded from the CIP fund.

RECOMMENDATION(S)

Staff recommends postponing the demolition bids and proceeding with taking bids for the asbestos removal project.

POSSIBLE MOTION(S)

Move to approve bidding the asbestos abatement project and postponing the demolition project.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- Ks Historical Society 062621 (PDF)

Cultural Resources Division
State Historic Preservation Office
6425 SW 6th Avenue
Topeka KS 66615-1099

Kansas Historical Society

785-272-8681, ext. 240
kshs.shpo@ks.gov
kshs.org

Jennie Chinn, Executive Director

Laura Kelly, Governor

June 26, 2021

Riley County Commissioners
110 Courthouse Pl
Manhattan, KS 66502

Re: The First Christian Church (115 Courthouse Plaza, Manhattan, Riley County)

Dear Commissioners:

We are pleased to inform you that *The First Christian Church* will be considered by the Kansas Historic Sites Board of Review for nomination to the National Register of Historic Places and the Register of Historic Kansas Places (state register) at their next meeting on Saturday, **August 7, 2021.** You are invited but not required to attend this meeting, at which the public is given a chance to speak for or against a nomination. The meeting will begin at 9:00 AM and will be held in the Museum Classrooms at the Kansas Museum of History, 6425 SW 6th Avenue, Topeka. An agenda and draft of the proposed nomination will be available on our website (www.kshs.org/14633) at least two weeks before the meeting.

The National Register of Historic Places is the federal government's official list of historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing in the National Register does not mean that limitations will be placed on the property by the federal government. Public visitation rights are not required of owners. The federal government will not attach restrictive covenants to the property or seek to acquire them. Properties approved for nomination to the National Register by the Kansas Historic Sites Board of Review are also listed in the Register of Historic Kansas Places.

Listing of this property provides recognition of the community's historic importance and assures protective review of federal projects that might adversely affect the character of the historic property. This property will also be protected under the Kansas Historic Preservation Act (K.S.A. 75-2715 through 75-2725). For more information on state and federal protection, please visit our website (www.kshs.org/14658).

If the property is listed in the registers, it may qualify for federal and/or state rehabilitation tax credits. Rehabilitation projects involving buildings listed in the state register may qualify for the state rehabilitation tax credit. For more information, visit our website (www.kshs.org/14673). Register listing also qualifies a property for the Heritage Trust Fund grant. You can find more information about this program on our website (www.kshs.org/14617).

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing per the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing may submit to the State Historic Preservation Officer a **notarized** statement certifying that the party is the sole or partial owner of the private property and objects to the listing. Each owner or partial owner of the private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, then a property will not be listed. However, the State Historic Preservation Officer may submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility of the property for listing in the National Register. If you choose to object to the listing of your property, the notarized objection must be received in our office before the meeting.

Should you have any questions about this nomination before the Kansas Historic Sites Board of Review meeting, please contact Jamee Fiore, National Register Coordinator, at (785) 272-8681 ext. 216 or at Jamee.fiore@ks.gov. We invite you to join us on Facebook at www.facebook.com/KSHPO and follow us on Twitter at @kansashistory.

Sincerely,

Patrick Zollner
Deputy State Historic Preservation Officer

Jamee Fiore
National Register Coordinator

cc: Riley County Commission
Riley County Historical Museum
Manhattan Mayor & City Manager
Benjamin Chmiel, Manhattan Historic Resources Board
Christy Davis, preparer

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COUNTY CLERK & ELECTIONS
Funding

RESOLUTION

FROM: **Tami Robison, Budget & Finance Officer**

MEETING: **July 8, 2021**

SUBJECT: **Fairmont Heights Sewer Funding Proposal**

PRESENTER: **Tami Robison, Budget & Finance Officer**

BACKGROUND

Fairmont Heights Sewer project grant ($250,000) and loan ($319,000) funds totaling $569,000 were approved by USDA in May 2017. Since that time, additional costs for the City of Manhattan connection fee as well as engineer and construction amendment costs have created a shortage of approximately $85,000.

DISCUSSION

Because of the time gap from the 2017 authorization, USDA is unable to add it to the original request. USDA would consider approving an additional loan for these costs, which would require two separate bond issuances. The second issuance would include not only the shortage of $85,000 but would also require additional counsel and issuance costs associated with bonding a project estimated at $8,000.

The Budget & Planning Committee would like to present an alternative for consideration of funding these additional costs. There are two options:

1. ARP funding--clean water, sewer and wastewater projects are eligible for reimbursement from these funds.
2. Economic Development funds set aside for unanticipated requests.

FISCAL IMPACT

Approving either of these options will decrease the overall cost of the Fairmont Heights Sewer project by eliminating the additional bonding costs required in counsel/issuance fees.

RECOMMENDATION(S)

The Budget and Planning Committee recommends funding the additional costs for the Fairmont Heights project with either of the two options outlined above.

POSSIBLE MOTION(S)

Move to approve funding the additional costs for the Fairmont Heights project with ARP funds.

Move to approve funding the additional costs for the Fairmont Heights project with Economic Development funds.

Move to deny

Move to modify

Move to table

Enclosures:

Julie Gibbs
Health Department
Director
2030 Tecumseh Rd
Manhattan, KS 66502
Phone: 785-776-4779

HEALTH DEPARTMENT
Update

COMMISSION AGENDA REPORT

FROM: **Julie Gibbs**

MEETING: **July 8, 2021**

SUBJECT: **Riley County Health Department Monthly Update**

PRESENTER: **Julie Gibbs**

See attached

Enclosures:
- 2021 budget to actual_June21 (PDF)
- monthlyupdatejuly2021 (PDF)

RILEY COUNTY HEALTH DEPARTMENT
2021 Budget to Actual Comparison of Revenues and Expenses
January 1, 2021-June 30, 2021
50.0% of year

ACTUAL BEG. CASH BAL. **$783,651.18**

Revenues	Total Budget	Total Actuals	General Budget	General Actual	Emergency Preparedness Budget	Emergency Preparedness Actual	WIC Budget	WIC Actual	Kansas Health Foundation Budget	Kansas Health Foundation Actual
Grants	2,642,296.00	1,936,326.66	-	337,857.45	49,578.00	40,136.27	901,636.00	596,896.00	75,000.00	25,000.00
Client Fees	94,750.00	29,337.98	-		-	-	-	-	-	-
Medicaid	46,500.00	14,356.28	-	-	-	-	-	-	-	-
Insurance	276,500.00	79,226.88	-	-	-	-	-	-	-	-
Transfer from General	1,154,526.00	1,154,526.00	1,154,526.00	1,154,526.00	-	-	-	-	-	-
Transfer In-CARES	-	170,358.10	-	170,358.10	-	-				
Miscellaneous	25,296.00	34,824.34	25,296.00	32,286.78	-	-	-	479.83	-	1,800.00
TOTALS	**4,239,868.00**	**3,418,956.24**	**1,179,822.00**	**1,695,028.33**	**49,578.00**	**40,136.27**	**901,636.00**	**597,375.83**	**75,000.00**	**26,800.00**
% of Budget Received		80.64%		143.67%		80.96%		66.25%		35.73%
Expenses	**Total Budget**	**Total Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**
Total Personnel	3,455,815.00	1,724,599.69	372,314.00	418,520.88	70,111.00	31,829.76	840,263.00	323,391.11	67,697.00	-
Total Contract	807,445.00	534,353.77	193,190.00	185,139.87	1,025.00	2,982.71	23,304.00	9,549.66	2,930.00	7,584.76
Total Commodities	453,497.00	152,303.62	11,500.00	88,388.43	-	1,979.35	17,100.00	2,261.11	2,351.00	842.32
Capital	189,433.00	24,548.41	185,933.00	12,903.42	-		-	-	-	2,464.19
Tranfers Out	-	-	-		-	-	-	-	-	-
TOTALS	**4,906,190.00**	**2,435,805.49**	**762,937.00**	**704,952.60**	**71,136.00**	**36,791.82**	**880,667.00**	**335,201.88**	**72,978.00**	**10,891.27**
% of Budget Spent		49.65%		92.40%		51.72%		38.06%		14.92%
BALANCE:										
EXCESS/(DEF.) BUDGET			416,885.00		(21,558.00)		20,969.00		2,022.00	
EXCESS/(DEF.) ACTUAL				990,075.73		3,344.45		262,173.95		15,908.73

Revenues	CDRR Budget	CDRR Actual	KCCTF Budget	KCCTF Actual	Child Care Licensing Budget	Child Care Licensing Actual	Family Planning Budget	Family Planning Actual	Immunization Action Plan Budget	Immunization Action Plan Actual
Grants	45,000.00	23,250.00	-	53,015.77	209,133.00	130,671.00	154,712.00	104,140.00	9,060.00	5,662.00
Client Fees	-		-	-	18,000.00	14,667.50	32,000.00	9,451.99	35,000.00	2,664.29
Medicaid	-		-	-	-	-	14,000.00	4,398.94	28,000.00	7,982.71
Insurance	-		-	-	-	-	40,000.00	14,987.14	225,000.00	56,148.32
Transfer from General	-		-	-	-	-	-	-	-	-
Transfer In-CARES			-	-						
Miscellaneous	-		-	-	-	-	-	-	-	-
TOTALS	**45,000.00**	**23,250.00**	**-**	**53,015.77**	**227,133.00**	**145,338.50**	**240,712.00**	**132,978.07**	**297,060.00**	**72,457.32**
% of Budget Received		51.67%				63.99%		55.24%		24.39%
Expenses	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**
Total Personnel	36,941.00	8,427.41	-	19,445.97	261,820.00	115,550.59	348,803.00	138,833.32	169,410.00	70,581.65
Total Contract	8,350.00	7,140.51	-	16,145.10	13,315.00	5,106.37	25,800.00	7,137.46	6,800.00	2,245.43
Total Commodities	1,100.00	1,735.25	-	12,732.12	2,825.00	1,110.29	58,750.00	14,560.14	254,850.00	13,806.11
Capital	-	-		5,602.45	-	2,398.94	-	-	-	1,179.41
Tranfers Out	-	-			-	-	-	-	-	-
TOTALS	**46,391.00**	**17,303.17**	**-**	**53,925.64**	**277,960.00**	**124,166.19**	**433,353.00**	**160,530.92**	**431,060.00**	**87,812.60**
% of Budget Spent		37.30%				44.67%		37.04%		20.37%
BALANCE:										
EXCESS/(DEF.) BUDGET	(1,391.00)		-		(50,827.00)		(192,641.00)		(134,000.00)	
EXCESS/(DEF.) ACTUAL		5,946.83		(909.87)		21,172.31		(27,552.85)		(15,355.28)

Revenues	MCH Budget	MCH Actual	OPEI Budget	OPEI Actual	Smart Start/ECBG Budget	Smart Start/ECBG Actual	State Formula Budget	State Formula Actual	March of Dimes Budget	March of Dimes Actual	Wildcat Region PHEP Budget	Wildcat Region PHEP Actual
Grants	131,556.00	97,668.00	220,000.00	55,000.00	756,386.00	446,690.46	50,148.00	18,314.00	10,000.00	-	30,087.00	2,025.71
Client Fees	500.00	5.00	-	-	-		9,250.00	2,549.20	-	-	-	-
Medicaid	3,500.00	677.65	-	-	-	-	1,000.00	1,296.98	-	-	-	-
Insurance	1,500.00	130.35	-	-	-	-	10,000.00	7,961.07	-	-	-	-
Transfer from General	-	-	-	-	-	-	-	-	-	-	-	-
Transfer In-CARES	-	-	-	-	-	-	-	-	-	-	-	-
Miscellaneous	-	217.71	-	-	-	-	-	40.02	-	-	-	-
TOTALS	**137,056.00**	**98,698.71**	**220,000.00**	**55,000.00**	**756,386.00**	**446,690.46**	**70,398.00**	**30,161.27**	**10,000.00**	**-**	**30,087.00**	**2,025.71**
% of Budget Received		72.01%		25.00%		59.06%		42.84%		0.00%		6.73%
Expenses	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**
Total Personnel	262,060.00	117,630.61	369,836.00	169,362.95	374,662.00	182,957.48	278,513.00	126,523.94	-	-	3,385.00	1,544.02
Total Contract	8,560.00	10,908.32	66,270.00	28,593.47	384,746.00	212,337.80	58,500.00	37,793.37	-	-	14,655.00	1,688.94
Total Commodities	5,400.00	2,080.62	3,400.00	903.85	60,325.00	8,386.05	13,950.00	3,517.98	10,000.00	-	11,946.00	-
Capital	-	-	-	-		-	3,500.00	-	-	-	-	-
Tranfers Out	-	-	-	-	-	-	-	-	-	-	-	-
TOTALS	**276,020.00**	**130,619.55**	**439,506.00**	**198,860.27**	**819,733.00**	**403,681.33**	**354,463.00**	**167,835.29**	**10,000.00**	**-**	**29,986.00**	**3,232.96**
% of Budget Spent		47.32%		45.25%		49.25%		47.35%		0.00%		10.78%
BALANCE:												
EXCESS/(DEF.) BUDGET	(138,964.00)		(219,506.00)		(63,347.00)		(284,065.00)		-		101.00	
EXCESS/(DEF.) ACTUAL		(31,920.84)		(143,860.27)		43,009.13		(137,674.02)		-		(1,207.25)

ENDING CASH BAL. **$1,766,801.93**

Attachment: 2021 budget to actual_June21 (10956 : RCHD Monthly Update)

BOH
Monthly Report
July 2021

Julie Gibbs, MPH
Riley County Health Department
2030 Tecumseh Rd.
Manhattan, Kansas 66502

Healthy people in a healthy comm...

June 2021 Budget to Actual Explanations

Revenues:

- Kansas Health Foundation-Health Equity grant ended. (Branding funds were all received in a prior year)
- IAP-COVID has caused delays in some vaccinations
- OPEI-timing of payments
- MoD/BaM-grant funds received in prior year-timing
- Wildcat Region-timing
- State Formula-timing

Expenses:

- General-COVID
- Emergency Preparedness-COVID

Covid Updates

Numbers countywide

- Percent Positive (goal is under 5%)
- Variants – Delta Variant
- Hospital numbers (Goal is 0!)

Testing Update

- Testing daily at the HD (symptomatic and asymptomatic)
- RADX-UP Program offering testing with all vaccine events!
- Testing at the Airport? M-F 10-3

Vaccine informatio

- All vaccinations at HD nov
- Upcoming remote events f the summer (piggyback or current events)

RILEY COUNTY

Staff Updates

Temp. Med. Clerks

- Still interviewing for the part time position (10 hours)

Contact Tracers

- 2 FT positions

Community Health Specialist (RADX)

- 1 FT position

RILEY COUNTY

Program Updates

Clinic

- Looking into more grants
- BTS immunization planning

CDRR

- Finish staff KaTCH training

Health Education

- Starting the CHIP Process

County Health Rankings

Measures used in the Rankings with raw data provided by our partners

National Center for Health Statistics

Behavioral Risk Factor Surveillance System

Center for Disease Control and Prevention

Centers for Medicare & Medicaid Services.

County Health Rankings – The Good News

- Physical Inactivity (16% vs. 24%)
- Excessive Drinking (17% vs. 18%)
- Teen births (11 vs. 24)
- Uninsured (8% vs. 10%)
- Flu vaccinations (61% vs. 49%)
- Unemployment (2.8% vs. 3.2%)
- Injury deaths (40% vs. 76%)

RILEY COUNTY

County Health Rankings – The Bad News

STIs (784 vs. 488)

Alcohol Impaired Driving Deaths (24% vs. 20%)

Severe Housing Problems (21% vs. 13%)

Limited Access to Healthy Foods (20% vs. 8%)

Thank You!!

Julie Gibbs
Health Department
Director
2030 Tecumseh Rd
Manhattan, KS 66502
Phone: 785-776-4779

HEALTH DEPARTMENT
Policy

COMMISSION AGENDA REPORT

FROM: **Julie Gibbs**

MEETING: **July 8, 2021**

SUBJECT: **Request to prohibit smoking in county parks.**

PRESENTER: **Deb Nuss - Flint Hills Wellness Coalition**

BACKGROUND

There is currently a smoking ordinance in the city of Manhattan, but there is not one currently existing for the county. The city ordinance prohibits smoking in a public setting, to include parks. Deb Nuss, Chair of the Flint Hills Wellness Coalition, Shanika Rose, RCHD Health Educator, and Millicent Okyere, CDRR Coordinator, all attended the Riley County Park Advisory Board on June 8 to present this to the members of the board. All members unanimously agreed the county should prohibit smoking in the county parks. In addition, the Riley County Public Health Advisory Board unanimously supported this at their May 26 meeting.

DISCUSSION

If the county commission were to agree to prohibit smoking in the county parks, not only would it then be consistent with the city ordinance, but it would improve and protect the public's health by eliminating smoking and would recognize that the need to breathe smoke-free air shall have priority over the choice to smoke in a manner that impacts public health.

FISCAL IMPACT

No fiscal impact on the county.

RECOMMENDATION(S)

I recommend the Board of County Commission allows for the creation of an ordinance that prohibits smoking in county parks.

POSSIBLE MOTION(S)

Move to approve

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

Julie Gibbs
Health Department
Director
2030 Tecumseh Rd
Manhattan, KS 66502
Phone: 785-776-4779

HEALTH DEPARTMENT
Project

COMMISSION AGENDA REPORT

FROM: **Julie Gibbs**

MEETING: **July 8, 2021**

SUBJECT: **Riley County Health Department Airport Testing Project Discussion**

PRESENTER: **Julie Gibbs**

BACKGROUND

The RADX-UP team and the contact tracing team at the HD have been offering remote testing in all areas around the county. This is to ensure everyone has an opportunity to get tested. It has been suggested to offer testing at the airport to offer to inbound and outbound passengers. Many other cities have been doing this, with much success.

DISCUSSION

In partnership with the City of Manhattan, the Riley County Health Department will be providing FREE covid-19 testing at a kiosk in the Main Lobby of MHK Regional Airport starting July ___, 2021 for the general public and anyone traveling in and out of the regional airport. These tests are voluntary.

There will be two kinds of testing provided: an Abbott Rapid test collected via anterior nasal swabs performed by a public health worker. The Abbott Rapid tests take approximately 20 minutes to process and results are provided immediately thereafter. The other method is the RT-PCR Saliva Test - (Reverse Transcriptase Polymerase Chain Reaction) Once the test is mailed in using its prepaid overnight FedEx shipping label and box (provided with each test kit) results are typically received within 48 hours. The testees will receive results via text or email.

Testing Hours for this service will be Monday through Friday, 10 am-3pm, in the main lobby of the Manhattan Regional Airport.

FISCAL IMPACT

There will be no fiscal impact on the county for this project. All signage, personnel and testing supplies are being paid for with grant funds.

RECOMMENDATION(S)

We recommend the BOH approves this airport testing plan based on the 2 consent forms (attached).

POSSIBLE MOTION(S)

Move to approve

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- airport acknowledgement (PDF)
- MHK Airport Sharing Positive Status Consent (PDF)

COVID-19 Testing Clinic
COVID-19 Vaccination Centers
Phone #: 785-565-6558
Fax #: 785-565-6566
Covid19test@rileycountyks.gov
Kansas CLIA: 17D0449923

PATIENT NOTICE AND ACKNOWLEDGMENT

Welcome to the Manhattan, KS airport COVID-19 testing program run by the Riley County Health Department in collaboration with external labs for PCR testing. The program makes COVID-19 testing available for passengers, employees and others traveling through or working in Manhattan's airports in an effort to help reduce the spread of the virus. Under the program, testing is made available to asymptomatic patients. This means a patient who is not exhibiting any symptoms when testing, when required for travel to destinations which require proof of a negative test result, when required by an employer, and when additional information about COVID-19 status is desired in order to prevent unwittingly spreading the virus to family, friends and others and to make responsible decisions about quarantining.

Because testing is open to asymptomatic patients, we, the Riley County Health Department, do not make a determination that the test is medically necessary for you. Currently, testing is made available for free under several different testing initiatives that are currently in place cooperatively with the Kansas Department of Health and Environment (KDHE). If the testing initiatives are no longer funded, we will provide ample notice to future travelers of changes.

If you test positive, you should isolate yourself and not travel or use the airport to avoid spreading the virus to others, and, if you are in the airport, you should leave the airport immediately. **We are required to report positive test results** to those entrusted to protect the public health and safety. By signing this form, you acknowledge that we have the obligation to share positive tests results to prevent or lessen a serious and imminent threat to the health and safety of the public and, further, you hereby agree, consent and acknowledge you understand that we will report any positive test results, including yours if you test positive, to the U.S. Centers for Disease Control and Prevention, the Kansas Department of Health and Environment (KDHE), the Riley County Health Department Contact Tracing Team, the U.S. Transportation

Security Administration and the airline company for the flight you are scheduled to travel on if we know you are traveling in the future.

You acknowledge that and agree that reporting of positive tests is necessary to protect you from others who are infectious as well as others from you if you are infectious. If you plan to travel after the test and test positive, **you may be prohibited from flying** until you are no longer infectious and pose no threat to public health. Because this reporting is required to protect public health, you have no right to prevent disclosure and you may be denied testing if you do not sign this acknowledgment.

On behalf of the Riley County Health Department, we thank you for being cautious and helping control the spread of the virus.

____ ___________________________

Client Signature Date

RILEY COUNTY HEALTH DEPARTMENT

Public Health
Prevent. Promote. Protect.

COVID-19 Testing Clinic
COVID-19 Vaccination Centers
Phone #: 785-565-6558
Fax #: 785-565-6566
Covid19test@rileycountyks.gov
Kansas CLIA: 17D0449923

STATEMENT OF UNDERSTANDING

UNTIL I RECEIVE MY COVID-19 TEST RESULTS, I WILL NOT ATTEMPT TO PASS THROUGH A TSA SECURITY CHECKPOINT OR BOARD A PLANE, AND I WILL ALSO DIRECT ANY TRAVELING COMPANIONS NOT TO DO SO.

UNTIL I RECEIVE MY TEST RESULTS, I WILL NOT ATTEMPT TO CHECK BAGS, PASS THROUGH A TSA SECURITY CHECKPOINT, OR BOARD A PLANE, AND I WILL ALSO DIRECT ANY TRAVELING COMPANIONS NOT TO DO SO.

IF INFORMED OF A POSITIVE TEST RESULT, I WILL IMMEDIATELY VACATE AIRPORT PROPERTY, AND I WILL ALSO DIRECT ANY TRAVELING COMPANIONS TO DO SO. I UNDERSTAND THE REFUSAL TO LEAVE MAY RESULT IN INTERVENTION BY LAW ENFORCEMENT. I UNDERSTAND THAT ANY TRAVELING COMPANIONS MAY ALSO BE DENIED BOARDING.

____ ____________________________

Client Signature Date

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COUNTY CLERK & ELECTIONS
Budget

MEMORANDUM

FROM: **Tami Robison, Budget & Finance Officer**

MEETING: **July 8, 2021**

SUBJECT: **Monthly Cash Flow Reports for June 2021**

PRESENTER: **Tami Robison, Budget & Finance Officer**

Cash Flow Reports for the Capital Improvement Fund, County Building Fund, Economic Development Fund and Road & Bridge 1/2 Cent Sales Tax Fund.

Enclosures:

- cash flow reports2 2021 (PDF)

2021 Riley County CIP Cash Flow Analysis

% of Year: 50%

Month	Revenue	Transfers In	Reimbursements	Total Revenue	Expenditures	Encumbrances	Jan/Feb/Mar A/P	Total Expenditures
Jan	2,588	3,716,027		3,718,615	186,717			186,717
Feb	200			200	198,094			198,094
Mar	181			181	42,008			42,008
Apr	14,043			14,043	44,782			44,782
May	195			195	588,275			588,275
Jun	2,486			2,486	63,839			63,839
Jul				-				-
Aug				-				-
Sep				-				-
Oct				-				-
Nov				-				-
Dec				-				-
Totals	$19,694	$3,716,027	$0	$3,735,721	$1,123,714	$0	$0	$1,123,714

Cash Reconciliation	
2021 Beginning Unencumbered Cash	$5,641,293
2021 Revenue	$3,735,721
Less 2021 Expenditures/Encumbrances	$1,123,714
2021 Ending Unencumbered Cash	$8,253,300
Less Remaining Approved Projects	$2,847,496
Less Reserves	$1,720,180
2021 Unreserved Cash	$3,685,624

Reserved Funds:	
CIP Reserve	$500,000
Fair Reserve	$83,843
Radio Int Reserve	$106,314
FFE Reserve	$438,911
Hardware Refresh	$591,112
Total Reserves	$1,720,180

Riley County 2021 Budget Authority Summary		% Budget Expended
2021 Budgeted Expenditures	$9,070,167	
Expenditures to Date	$1,123,714	12.39%
2021 Remaining Budget Authority	$7,946,453	

Riley County 2021 Budgeted Revenue		% Budgeted Revenue
2021 Budgeted Revenue	$3,857,265	
Revenue to Date	$3,735,721	96.85%

2021 CIP Detailed Expenditures per Project and per Dept

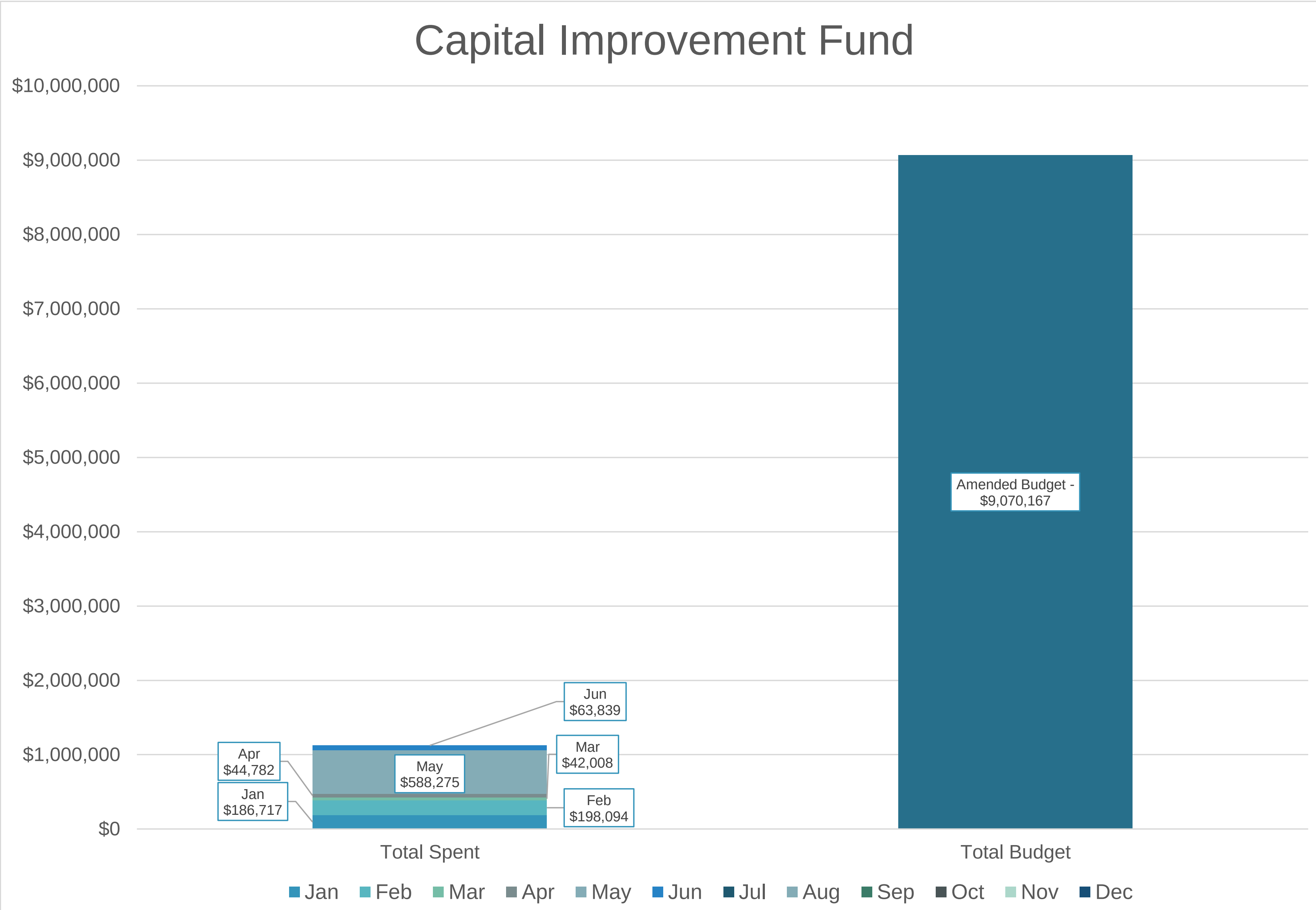
Project #	Project Code	Projects	Approved Project Estimate	Prior Year Expenditures	2021 Actual Expenditures/ Encumbrances/ Reserve	Remaining Project Estimate	Completed Projects (Over) Under Approved Estimate
		PUBLIC WORKS:					
13-13PW005		Design cost for 2 culverts	35,000	16,100		18,900	
16-16PK003	71	Parking lot for CICO Playground	18,000	7,078		10,922	
18-18PK003		Playground Equipment at CICO Park + (PK trx-$75,000)	225,000	0		225,000	
18-18PW012	27	Fairgrounds ADA Walkway	170,000	104,648		65,352	
19-19PW008		1 1/2T Truck w/Utility Bed	100,000	46,725		53,275	
19-19PW014		Winkler Bridge Deck-FFE	250,000	0		250,000	
19-19LEC004	98	RCPD Firing Range	2,285,000	2,147,270	61,177	76,553	
20-20PW003		Tandem Axle Truck w/Plow & Spreader	200,000	0		200,000	
20-20PW004		1 Ton Truck w/Utility Bed	55,000	0		55,000	
20-20PW005		Equipment Storage Shed Leonardville	35,000	0	31,631	3,369	
20-20PW006		AWS Telehandler w/Attachments	120,000	0	119,000	1,000	
20-20PW007		Forklift	60,000	0		60,000	
20-20PW008		3/4T 4x4 Ext. Cab Pickup	33,000	0		33,000	
20-20PW009		Power Broom	45,000	0	40,000	5,000	
20-20PW010	509	Welsh Road Asphalt Overlay	243,641	233,509		10,131	
20-20LEC001		Replace 1 Roof Top HVAC Unit	15,000	14,500		500	
20-20LEC002		Replace Air Regulators on 1/2 Jail Doors	30,000	0	13,188	16,812	
20-20LEC003		Rewire Elevator Safety Systems	40,000	0		40,000	
20-20PK004		CICO Parking Lot Engineering	10,000	0		10,000	
20-20PK005		Wildcat Park Bridge Replacement	100,000	0	12,885	87,116	
20-20PK006		Ogden Park Restroom Phase Two (trx from PW 2021)	3,750	0	3,750	0	
21-21LEC001		Replace 2 Roof Top HVAC Units	32,000	0		32,000	
21-21PK001		3/4T 4x4 Ext. Cab Pickup	40,000	0		40,000	
21-21PK002		72" Zero Turn Mower	20,000	0		20,000	
21-21PK003		1/2T Pickup	30,000	0		30,000	
21-21PK004		72" Mower w/Accessories	31,000	0		31,000	
21-21PW001		Tandem Axle Truck w/Plow & Spreader	205,000	0		205,000	
21-21PW002		Semi Truck	85,000	0		85,000	
21-21PW003		Pneumatic Roller	125,000	0	82,860	42,140	
21-21PW004		Low Boy Trailer	150,000	0		150,000	
		PUBLIC WORKS TOTAL	4,791,391	2,569,830	364,491	1,857,069	-
		EMERGENCY MEDICAL SERVICE					
13-13AM001	302	Design of the EMS Facility Enhancement	100,000	25,770		74,230	
20-20AM002	302	800 MhZ Radios	195,226	176,100	646	18,480	
20-20AM003	302	EMS Facility Engineering Design Cost	50,000	0		50,000	
20-20AM004	302	Zoll "X" Series Cardiac Monitor	40,000	0	35,941	0	4,059
21-21AM001	302	Ambulance Replacement	270,000	0		270,000	
21-21AM002	302	LUCAS CPR Device	14,000	0	13,940	0	60
		EMS TOTAL	669,226	201,870	50,527	412,710	4,058.55
		CLERK					
21-21CK001		Open.Gov software	53,870.00	0.00		53,870.00	
		CLERK TOTAL	53,870.00	0	0	53,870	-
		ATTORNEY					
19-19AT001	760	Odyssey Software System	280,000	187,412		92,588	
		ATTORNEY TOTAL	280,000	187,412	0	92,588	-
		BOCC					
21-21BOCC001		Repair Boiler in Courthouse Plaza East	40,000	0	34,563.42	5,437	
		ATTORNEY TOTAL	40,000	0	34,563	5,437	-
		PLANNING & DEVELOPMENT					
18-18PD001		MOU-Flood Modeling/Training/Research/Software	62,500	39,857	4,729	17,915	
21-21PD001		Truck Replacement	30,000	0	28,933	1,067	
		PLANNING & DEVELOPMENT TOTAL	92,500	39,857	33,662	18,982	-
		NOXIOUS WEED					
20-20NW001		1 1/2T 4x4 Spray Truck	40,000	0		40,000	
		NOXIOUS WEED TOTAL	40,000	0	0	40,000	-

Project #	Project Code	Projects	Approved Project Estimate	Prior Year Expenditures	2021 Actual Expenditures/ Encumbrances/ Reserve	Remaining Project Estimate	Completed Projects (Over) Under Approved Estimate
		EMERGENCY MANAGEMENT					
16-16EM002		Standby/Backup Generator Pottorf Hall	40,000	0		40,000	
20-20EM003		River Gauges	2,985	0	3,045	0	-60
20-20EM004		1/2 SUV 4x4	20,000	0	14,259	5,741	
20-20EM005		Bi-directional amplifiers (radio project)	35,000	8,982	9,978	16,039	
21-21EM001		Mobile Command Post Upgrade/Equip Refresh	125,000	0		125,000	
21-21EM002		EM Storage Building	125,000	0		125,000	
		EMERGENCY MANAGEMENT TOTAL	347,985	8,982	27,282	311,780	-
		OTHER					
13-13PW009		Motor Grader (Lease Purchase through 2023)	1,000,605	440,484		560,121	
18-18EM003	21	Hardware Refresh Reserve (through 2025)	1,182,221	591,112		591,109	
Lease pmt to 2033	21	Radio Infrastructure Project Lease (15 yr term through 2033)	6,401,938	853,592	426,796	5,121,550	
B&I Trx to 2025		2010-B G.O. Bond payment (15 yr term through 2025)	2,849,815	1,921,954	186,392	741,469	
		OTHER TOTAL	11,434,579	3,807,142	613,188	7,014,250	-
		TOTAL	17,749,551	6,815,093	1,123,714	9,806,685	4,058.55

Remaining Approved Projects less lease/debt payments/hardware refresh 2,847,496

(not included as these payments are subject to approval with annual budget)

Completed Projects


Capital Improvement Fund
$10,000,000
$9,000,000
$8,000,000
$7,000,000
$6,000,000
$5,000,000
$4,000,000
$3,000,000
$2,000,000
$1,000,000
$0
Jun $63,839
Apr $44,782
May $588,275
Mar $42,008
Jan $186,717
Feb $198,094
Amended Budget - $9,070,167
Total Spent
Total Budget
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec

2021 Riley County Building Cash Flow Analysis

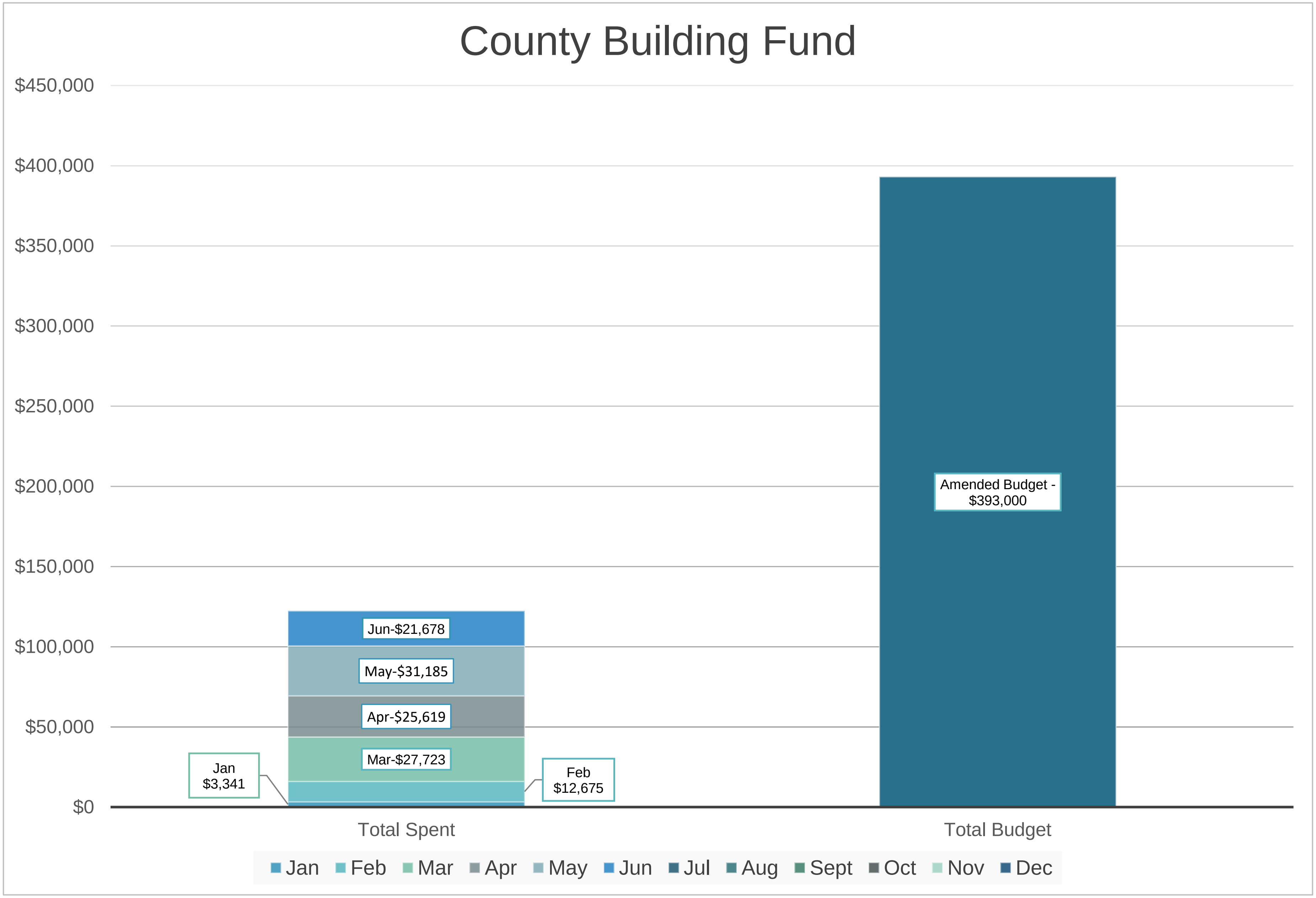
% of Year: 50%

Month	Revenue	Reimbursements	Other	Total Revenue	Expenditures	Encumbrances	Jan/Feb/Mar A/P	Total Expenditures
Jan	189,844			189,844	3,341			3,341
Feb		110	34	144	12,675			12,675
Mar	16,662	20	1,467	18,149	27,723			27,723
Apr				-	25,619			25,619
May	141,066		34	141,099	31,185			31,185
Jun			44	44	21,678			21,678
Jul				-				-
Aug				-				-
Sep				-				-
Oct				-				-
Nov				-				-
Dec				-				-
Totals	$347,572	$130	$1,578	$349,279	$122,221	$0	$0	$122,221

Cash Reconciliation	
2021 Beginning Unencumbered Cash	$24,207
2021 Revenue	$349,279
Less 2021 Expenditures/Encumbrances	$122,221
2021 Ending Unencumbered Cash	$251,265

Riley County 2021 Budget Authority Summary		% Budget Expended
2021 Budgeted Expenditures	$393,000	
Expenditures to Date	$122,221	31.10%
2021 Remaining Budget Authority	$270,779	

Riley County 2021 Budgeted Revenue		% Budgeted Revenue
2021 Budgeted Revenue	$374,044	
Revenue to Date	$349,279	93.38%


County Building Fund
$450,000
$400,000
$350,000
$300,000
$250,000
$200,000
$150,000
$100,000
$50,000
$0
Jun-$21,678
May-$31,185
Apr-$25,619
Mar-$27,723
Jan $3,341
Feb $12,675
Amended Budget - $393,000
Total Spent
Total Budget
Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov Dec

2021 Riley County Economic Development Cash Flow Analysis

% of Year: 50%

Month	Revenue	Reimbursements	Other	Total Revenue	Expenditures	Encumbrances	Jan/Feb/Mar A/P	Total Expenditures
Jan	300,000			300,000	93,020			93,020
Feb	-			-	150,675			150,675
Mar	-			-	8,834			8,834
Apr	-			-	-			-
May	-			-	818			818
Jun	-			-				-
Jul	-			-				-
Aug	-			-				-
Sep	-			-				-
Oct	-			-				-
Nov	-			-				-
Dec	-			-				-
Totals	$300,000	$0	$0	$300,000	$253,347	$0	$0	$253,347

Cash Reconciliation	
2021 Beginning Unencumbered Cash	$151,834
2021 Revenue	$300,000
Less 2021 Expenditures/Encumbrances	$253,347
2021 Ending Unencumbered Cash	$198,487
Less Est. Project Balance for CY	$190,573
2021 Projected Unencumbered Cash	$7,915

Riley County 2021 Budget Authority Summary		% Budget Expended
2021 Budgeted Expenditures	$401,322	
Expenditures to Date	$253,347	63.13%
2021 Remaining Budget Authority	$147,975	

Riley County 2021 Budgeted Revenue		% Budgeted Revenue
2021 Budgeted Revenue	$300,000	
Revenue to Date	$300,000	100.00%

Attachment: cash flow reports2 2021 (10948 : Monthly Cash Flow Reports)

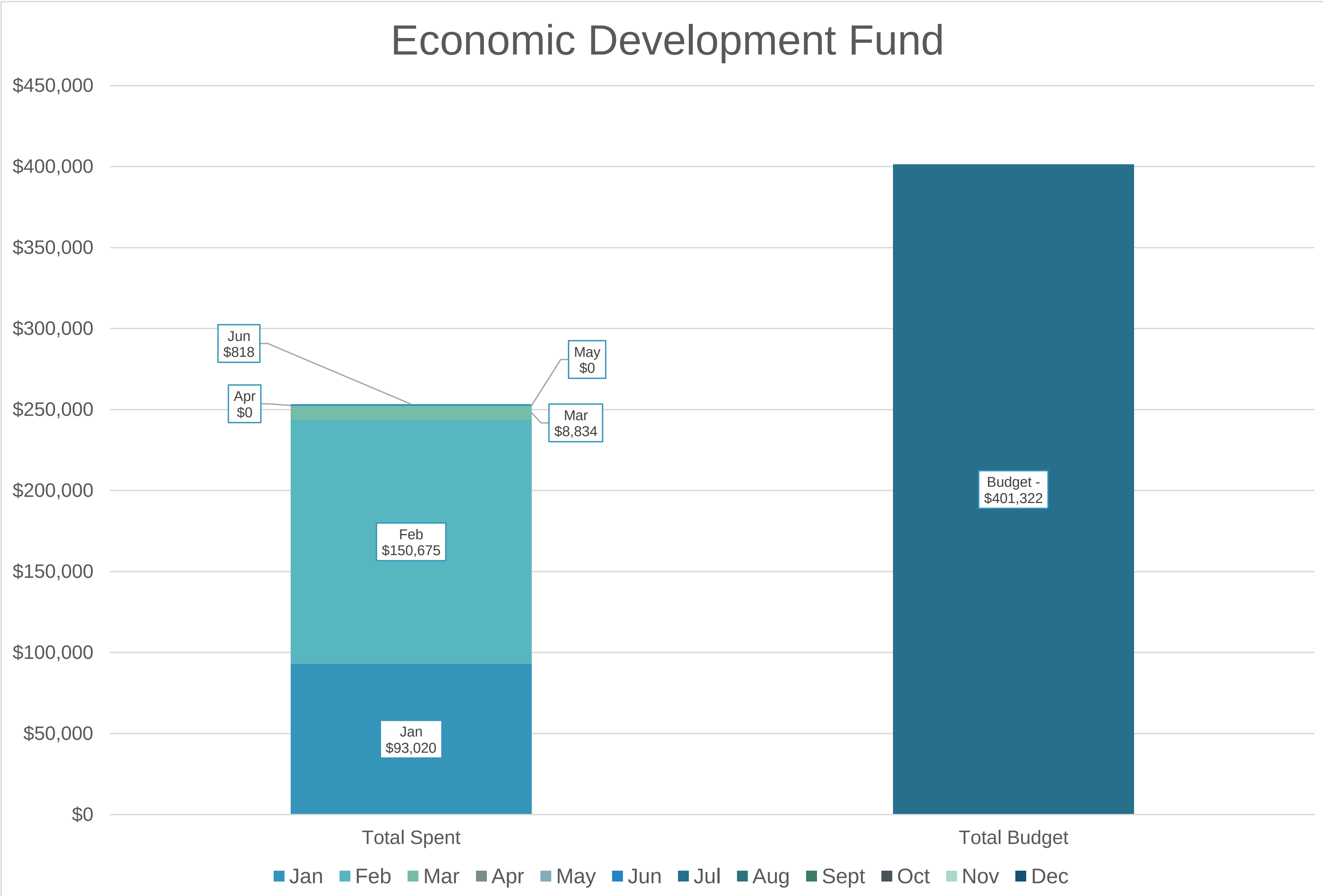
2021 Eco Devo Detailed Expenditures per Project and per Dept

Projects	Approved Project Estimate	Prior Year Expenditures	2021 Expenditures/ Encumbrances	Remaining Project Estimate	Completed Projects (Over) Under Approved Estimate
APPROPRIATIONS					
Chamber of Commerce	55,000	0	27,500	27,500	
Flint Hills Veterans Coalition	1,100	0	550	550	
Downtown Manhattan	5,000	0	2,500	2,500	
Riley Co. General Eco Devo	74,190	0		74,190	
APPROPRIATION TOTALS	$135,290	$0	$30,550	$104,740	$0
MEMBERSHIPS					
FHMPO Contribution	5,000	0	3,648	1,352	
FHRC Contribution	10,000	0	9,118	882	
MEMBERSHIP TOTALS	$15,000	$0	$12,765	$2,235	$0
CONTRACTS					
Auto Lane Development (2024)	121,140	96,912		24,228	
K18 Ramp Contribution (10 pmts)	1,500,000	1,350,000	150,000	0	
CONTRACT TOTALS	$1,621,140	$1,446,912	$150,000	$24,228	$0
DEBT OBLIGATION TRANSFER					
Konza Water Debt Payment Transfer	658,502	262,377	44,975	351,150	
DEBT OBLIGATION TRANSFER TOTALS	$658,502	$262,377	$44,975	$351,150	$0
PROJECTS					
Project Study/Design/Engineer	50,000	0		50,000	
Re-write Zoning/Subdivision Regs	150,000	107,403	15,056	27,541	
PROJECT TOTALS	$200,000	$107,403	$15,056	$77,541	$0
TOTALS	$2,629,931	$1,816,691	$253,347	$559,893	$0

Remaining Approved Projects less lease/debt payments/reserve $190,573

(not included as these payments are subject to approval with annual budget)

Completed Projects



Attachment: cash flow reports2 2021 (10948 : Monthly Cash Flow Reports)

2021 Riley County Sales Tax Cash Flow Analysis

% of Year: 50%

Month	Sales Tax Revenue	Reimbursements	KDOT	Total Revenue	Expenditures	Encumbrances	Jan/Feb/Mar A/P	Total Expenditures
Jan	158,605			158,605	-			-
Feb	166,104			166,104	4,299			4,299
Mar	166,534			166,534	11,617			11,617
Apr	152,296			152,296	3,698			3,698
May	176,603			176,603	1,270			1,270
Jun	176,261			176,261	78,476			78,476
Jul				-				-
Aug				-				-
Sep				-				-
Oct				-				-
Nov				-				-
Dec				-				-
Totals	$996,403	$0	$0	$996,403	$99,360	$0	$0	$99,360

Cash Reconciliation	
2021 Beginning Unencumbered Cash	$4,471,895
2021 Revenue	$996,403
Less 2021 Expenditures/Encumbrances	$99,360
2021 Ending Unencumbered Cash	$5,368,938
Remaining 2021 Projected Revenue	503,597
Less Est. Project Balance for CY	$ 495,759
2021 Projected Unencumbered Cash	$5,376,776

Riley County 2021 Budget Authority Summary		% Budget Expended
2021 Budgeted Expenditures	$4,320,367	
Expenditures to Date	$99,360	2.30%
2021 Remaining Budget Authority	$4,221,007	

Riley County 2021 Budgeted Revenue		% Budgeted Revenue
2021 Budgeted Revenue	$1,500,000	
Revenue to Date	$996,403	66.43%

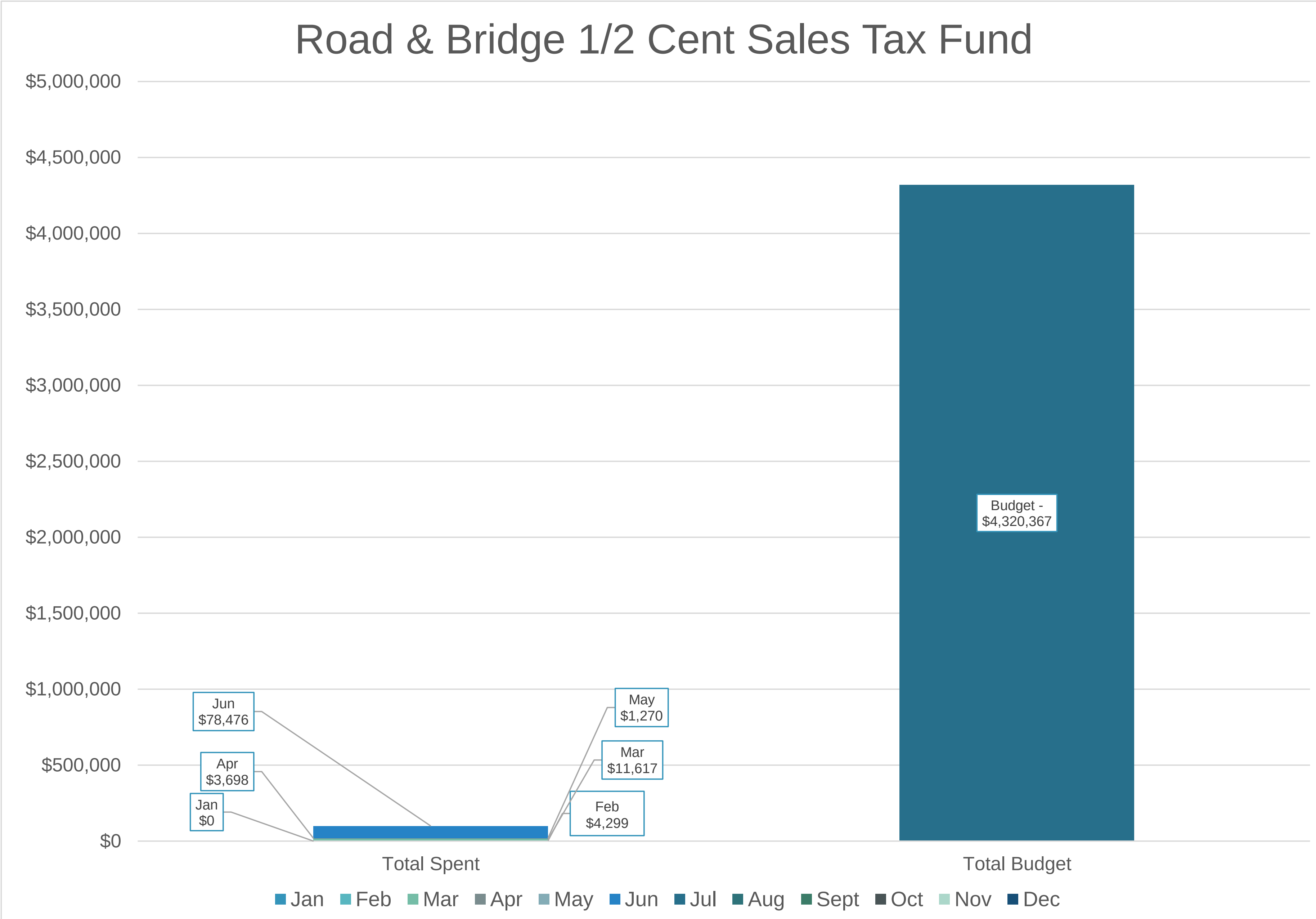
2021 Sales Tax Detailed Expenditures per Project and per Dept

Project Code	Projects	Approved Project Estimate	Prior Year Expenditures	2021 Expenditures/ Encumbrances	Remaining Project Estimate	Completed Projects (Over) Under Approved Estimate
	CULVERTS					
437	Casement Drainage Outlet Structure	298,852	298,852		0	0
442	West 54th Avenue	124,000	168,131		0	-44,131
310	Frog Holler	160,218	160,218		0	0
440	Green Randolph Road	260,819	260,819		0	0
441	N 52nd Street	139,894	139,894		0	0
451	Sherman Road	83,000	7,598		0	75,402
457	Flat Rock Road	113,500	52,707		60,793	
402	Vinton School Road	182,000	183,596		0	-1,596
458	Parallel Road	117,000	51,270		65,730	
403	Kitten Creek Road	148,000	37,341		110,659	
404	Peach Grove Road	104,000	229,115	9,235	-134,350	
452	Fancy Creek Road I.2/6.3	93,000	0		0	93,000
459	Union Road	125,000	56,605		68,395	
	CULVERT TOTALS	$1,949,282	$1,646,146	$9,235	$171,227	$122,675
	BRIDGES					
435	West 40th Bridge	349,501	349,501		0	0
439	Daniels Drive	252,631	252,631		0	0
425	Green Randolph	1,089,402	1,092,613		0	-3,211
401	Fancy Creek F.5/5.9	1,231,800	1,162,197		0	69,603
461	Fancy Creek K.0/6.2	653,800	53,632	98	600,070	
443	S. 32nd Street	160,743	160,743		0	0
444	Parallel	208,990	208,990		0	0
455	Rose Hill	654,200	63,000	80,220	510,980	
447	Fancy Creek E.2/5.6	929,211	1,222,128		0	-292,917
412	Anderson Avenue	1,050,000	874,399		175,601	
449	Stockdale Park	927,400	924,119		0	3,281
456	Senn Rd	454,500	59,650	7,721	387,129	
454	West 32nd Avenue	1,000,000	108,056	1,107	890,837	
460	Winkler Mills Bridge	1,200,000	102,516	204	1,097,280	
462	South Otter Bridge	75,000	49,080	776	25,144	
	BRIDGE TOTALS	$10,237,178	$6,683,255	$90,125	$3,687,042	-$223,244
	RECONSTRUCTION					
448	Denison (Marlatt to City Limits)	3,951,470	3,857,457		0	94,013
431	McDowell Creek Road (north end)	3,000,000	515,848		0	2,484,152
	RECONSTRUCTION TOTALS	$6,951,470	$4,373,305	$0	$0	$2,578,165
	OVERLAY					
412	Anderson Avenue	470,000	470,000		0	0
509	Welsh Road	175,000	175,466		0	-466
414	Mill Cove/W. 59th	200,000	200,000		0	0
	Tabor Valley Road	410,928	0		0	0
453	Kansas Ave/Crooked Creek	425,617	0		0	0
	Barton Road	509,418	0		0	0
438	Fancy Creek Road	450,000	450,000		0	0
450	University Park Road	259,910	175,000		0	0
	Tuttle Cove Road	512,622	0		175,000	
	Barnes/Casement Road	386,690	0		175,000	
	Scenic Drive	151,324	151,324		0	0
	4 Unidentified Overlays	800,000	175,000		625,000	
	OVERLAY TOTALS	$4,751,509	$1,796,790	$0	$975,000	-$466
	TOTALS	$23,889,440	$14,499,496	$99,360	$4,833,269	$2,477,130

Completed Projects

Project Estimates for 2021	Total	Updated
Culverts-Fancy Creek/Sherman	$ 60,000	$ -
Rosehill Road Bridge	$ 254,200	$ 173,980
Senn Road Bridge	$ 154,500	$ 146,779
Overlay TBD and approved by BOCC	$ 175,000	$ 175,000
TOTAL	$ 643,700	$ 495,759

Attachment: cash flow reports2 2021 (10948 : Monthly Cash Flow Reports)


Road & Bridge 1/2 Cent Sales Tax Fund
$5,000,000
$4,500,000
$4,000,000
$3,500,000
$3,000,000
$2,500,000
$2,000,000
$1,500,000
$1,000,000
$500,000
$0
Jun $78,476
Apr $3,698
Jan $0
May $1,270
Mar $11,617
Feb $4,299
Budget - $4,320,367
Total Spent
Total Budget
Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov Dec

RILEY COUNTY

PUBLIC WORKS
Personnel

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

COMMISSION AGENDA REPORT

FROM: **Gary Rosewicz, Assistant Public Works Director**

MEETING: **July 8, 2021**

SUBJECT: **Request to Fill Solid Waste Operator II Position**

PRESENTER: **Gary Rosewicz, Assistant Public Works Director**

BACKGROUND

A long time Transfer Station employee has recently informed us of his impending retirement. This employee serves as an Equipment Operator II and is one of two fulltime Operators at the Transfer Station. Both Operators work four 10 hour days per week on staggered shifts. This allows us to have at least one operator in the yard daily during the Monday through Saturday Transfer Station schedule.

The Solid Waste Equipment Operators are responsible for maintaining the closed landfill, the tree and brush disposal area, the scrap metal and appliance area, facility grounds, facility buildings, equipment, and processing the compost. Additionally, they assist the public and fill in as the scale house operator when necessary.

This position works under the direct supervision of the Assistant Public Works Director and is expected to carry out work assignments with little oversight.

DISCUSSION

This position performs half of the workload necessary to maintain and operate the Solid Waste Facility. There is no other person on staff available to assume these duties.

FISCAL IMPACT

This is a current budgeted position within the Solid Waste Division.

RECOMMENDATION(S)

Staff recommends filling the position

POSSIBLE MOTION(S)

Move to approve the Solid Waste Division advertise to hire the Equipment Operator II position.

Enclosures:

- 2021-07 PW Operator II-Solid Waste (gold) (PDF)

RILEY COUNTY POSITION ACTION FORM

Department: Public Works/ SW Division Date: 07/01/2021 Job Title: Public Works Operator II – Solid Waste Ech

☒ Full Time ☐ Part Time	☒ Regular ☐ As Needed	☐ Seasonal ☐ Intern	☐ Grant Funded ☐ Temporary	Pay Grade I 40 Hours per ☒ Week ☐ Month	Start Date 07/08/2021 End Date N/A	☒ Non-Exempt ☐ Exempt

TYPE OF REQUEST

(Check one box and follow instructions in box – attach new job description if applicable)

Budgeted Position Request		Non-Budgeted Position Request	
☒ Request to hire replacement-same duties ☐ Request to hire replacement-new duties	☐ Request to change budgeted hours ☐ Request to change position status	☐ Request to create a new position for current fiscal year only ☐ Request for current non-budgeted position to be included in future annual budgets	☐ Request to create a new position which will be included in future annual budgets
1. Name of former incumbent or current employee: Harry Bellman	2. Effective date of promotion, transfer, termination, or change: 09/17/2021	1. Are there current budgeted funds available to pay for this position? ☒ Yes ☐ No ☐ Grant Funded	2. Requested hours per year: 2080
3. If requesting a change in budgeted hours, estimated change in cost per year:	4 Would the position require re-evaluation for classification and pay grade purposes? ☐ Yes ☒ No	3. Estimated cost per year (financial impact):	4 Would the position require evaluation for classification and pay grade purposes? ☐ Yes ☒ No
5. Has this position been "On Hold?" ☐ Yes ☒ No If yes, date placed "On Hold":	6. Any special conditions regarding this position: No	5. If applicable, what is the ending date for the position?:N/A	6. Any special conditions regarding this position:

1. Why is it necessary to fill this position or change its status? To maintain normal daily operations at the Riley County Solid Waste Facility

2. Is it possible to fill this position internally? If no, why not? Yes

For hiring purposes, briefly state necessary and/or desirable education, training, and/or certification required as well as desirable experience and/or skills:
High School Graduate or equivalent required. Valid Driver's License as required by law. Commercial Driver's License is required. Five years' experience operating construction equipment required. One year customer service and computer experience (Microsoft products) is required.

Additional comments:

Approval by: Date:

Department Head: [signature] 7-1-2021

Personnel: [signature] 7/6/21

BOCC Chairman:

BOCC Member:

BOCC Member:

If the approved request affects current and future budget figures, a copy will go to Payroll and Budget & Finance

3/19/03

RILEY COUNTY

PLANNING & DEVELOPMENT
Grant

Amanda Smeller
Planning/Special Projects Director
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6332

COMMISSION AGENDA REPORT

FROM: **Amanda Smeller**

MEETING: **July 8, 2021**

SUBJECT: **CDBG-CV Determination of Level of Review**

PRESENTER: **Amanda Smeller**

BACKGROUND

In order to proceed with Request for Payment for the job retention component of the County's CDBG-CV grant, the Chairman for the Board of County Commissioners must sign the Determination of Level of Review for Hibervine LLC.

DISCUSSION

Once the Determination of Level of Review has been signed by the chairman, staff will submit the required documentation along with a Request for Payment to Kansas Department of Commerce.

FISCAL IMPACT

None.

RECOMMENDATION(S)

Authorize the Chairman to sign the Determination of Level of Review for Hibervine LLC.

POSSIBLE MOTION(S)

Move to approve the Chairman to sign the Determination of Level of Review for Hibervine LLC.

Enclosures:

- Determination of Level of Review - Hibervine (DOCX)

Kansas Department of Commerce
Community Development Block Grant (CDBG) Program
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: Riley County - Project #20-CV-109 (Business: Hibervine LLC)

Project Location: 1929 Wildcat Creek Rd, Manhattan, KS

Project Description: Hibervine LLC partners with local land owners to utilize their unusable farm ground for development of vineyards. They manage with their own staff, equipment, and resources.
Amount of funds receiving: $10,000. Number of retained jobs: 2 FTEs. Funds to be used to reimburse for working capital expenses incurred from March 1, 2020 to June 30, 2021.

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(___)

☒ Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(3)

☐ Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(___)

☐ An Environmental Assessment (EA) is required to be performed.

☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

John Ford, BOCC Chairman
Chief Elected Official (print name/title)

Chief Elected Official's Signature

Date

John Ellermann
Public Works
Director/County Engineer
6215 Tuttle Creek Blvd
Manhattan, KS 66503
Phone: 785-537-6330

PUBLIC WORKS
Presentation

COMMISSION AGENDA REPORT

FROM: **John Ellermann, Public Works Director**

MEETING: **July 8, 2021**

SUBJECT: **Draft Sales Tax Presentation**

PRESENTER: **John Ellermann**

BACKGROUND

For almost 20 years Riley County has benefited from a ½ cent sales tax to improve the County's infrastructure. Roads have been reconstructed and many bridges and culverts replaced costing millions of dollars.

DISCUSSION

With the existing ½ cent sale tax nearing the end of its 10 years term the Board has expressed its desire to continue to use sales tax to improve the County's roads and bridges. At a recent Board meeting the Commission passed a motion to ask the voters to approve a County sales tax November.

The presentation is meant to inform voters of the projects planned to be completed using the sales tax. It will also show the benefit of sales tax over property tax.

FISCAL IMPACT

It is estimated that a 0.2 cent sales tax will generate approximately the same revenue as the existing tax for County infrastructure improvements and still be able to share a portion with the smaller cities at about the same level they are currently receiving..

The revenue generated form sales tax would equal approximately 3.01 mil of property tax.

RECOMMENDATION(S)

NA

POSSIBLE MOTION(S)

No action required.

The Board agreed by consensus to

Enclosures:

- Sales Tax Renewal Presentation 2022 (COMBINED)_DRAFT (PPT)

0.2 Cent Riley County Sales Tax Proposition

Roads and Bridges

General Election November __, 2021

Riley County Road and Bridge Advisory Board

Appointed to study Road & Bridge needs in Riley County and prioritize potential infrastructure projects for recommendation to the Riley County Commission

- Cities in Riley County
- Chamber of Commerce
- Manhattan Urban Area Planning Board
- Riley County Planning Board
- Township Officers Association
- Kansas State University
- Riley County Extension Council
- Riley County Fire District

2012 Completed Sales Tax Projects

Marlatt Ave. & Denison Ave.: Reconstruction

Anderson Road: Deficient Bridge

Peach Grove Rd. Culvert Replacement

Current ½ Cent Sales Tax Projects

	Casement Drainage Outflow	$298,852
Culvert	W 54th Ave	168,131
Culvert	Frog Holler	160,218
Culvert	Green Randolph Rd.	260,819
Culvert	N 52nd Street	139,894
Culvert	Sherman Rd.	7,598
Culvert	Flat Rock Rd.*	52,707
Culvert	Vinton School Rd.	183,596
Culvert	Parallel Rd.*	51,270
Culvert	Kitten Creek Rd.*	37,341
Culvert	Peach Grove Rd.	238,350
Culvert	Union Rd.*	56,605
Bridge	S. Otter Rd.*	49,380
Bridge	W. 40th Ave.	349,501
Bridge	Daniels Dr.	252,631

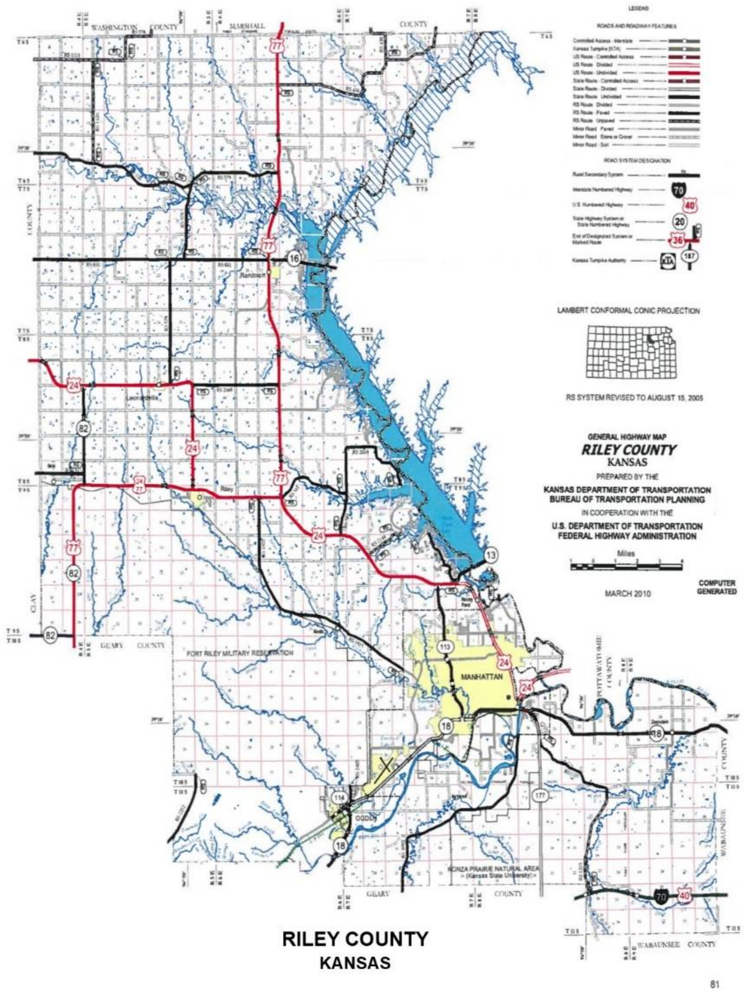
Current ½ Cent Sales Tax Projects
(continued)

Bridge	Green Randolph Rd.	1,092,613
Bridge	S. 32nd Street	160,743
Bridge	Parallel Rd.	208,990
Bridge	AndersonAve.	874,399
Bridge	Fancy Creek Rd.	1,162,129
Bridge	Rose Hill Rd.*	65,220
Bridge	Fancy Creek Rd.	1,222,128
Bridge	Stockdale Park Rd.	924,119
Bridge	Senn Rd.*	67,371
Bridge	Fancy Creek Rd.*	53,730
Bridge	W. 32nd Ave.*	109,163
Bridge	Winkler Mills Rd.*	102,720
Reconst.	Marlatt Ave. & Denison Ave.	3,857,457
Overlays	Various Rds.	1,796,790
	Total*	$14,520,381

Road & Bridge Inventory

Riley County has…

- 230 miles of roads
- 135 bridges
- 479 large culverts
- 3,700 small culverts



Infrastructure Safety Issues

- Many county roads need to be reconstructed to minimum modern design standards
- Over 13% of all county bridges and culverts are deficient and need to be replaced
- Increased traffic and heavier truck loads have accelerated road and bridge deterioration

Existing Deficiencies

- Bridge lane widths too narrow
- Poor visibility on narrow roads
- Inadequate road shoulders
- Structural inadequacies
- Obstacles near the roadway
  - bridge abutments, trees
- Sharp curves
- Steep roadside slopes
- Weight limit restrictions on bridges

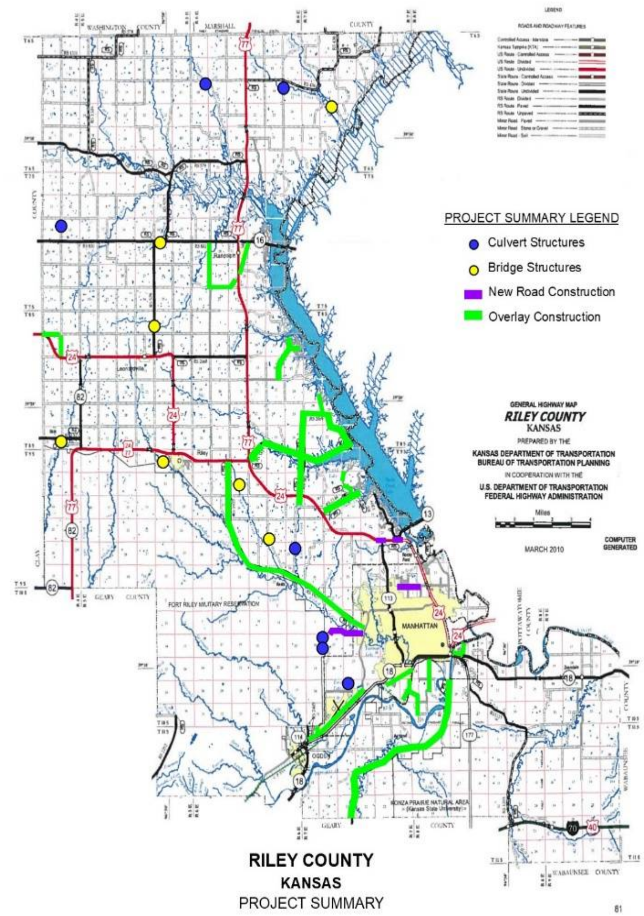
Results of Deferring Reconstruction and Replacement

- Closed roads and bridges
- Higher vehicle maintenance costs
- Reduced speed limits
- Lower weight limits on bridges
- Increased road and bridge maintenance costs
- Escalated replacement costs

Proposed Sales Tax Projects

Recommended by Riley County Road and Bridge Advisory Board

- **23 Projects Prioritized**
- **$10 Million Total**
- Project distribution will be countywide
- $5.7 million of the proposed projects are in the Manhattan area
- $4.3 million of the proposed projects are in rural Riley County




Kitten Creek Rd.

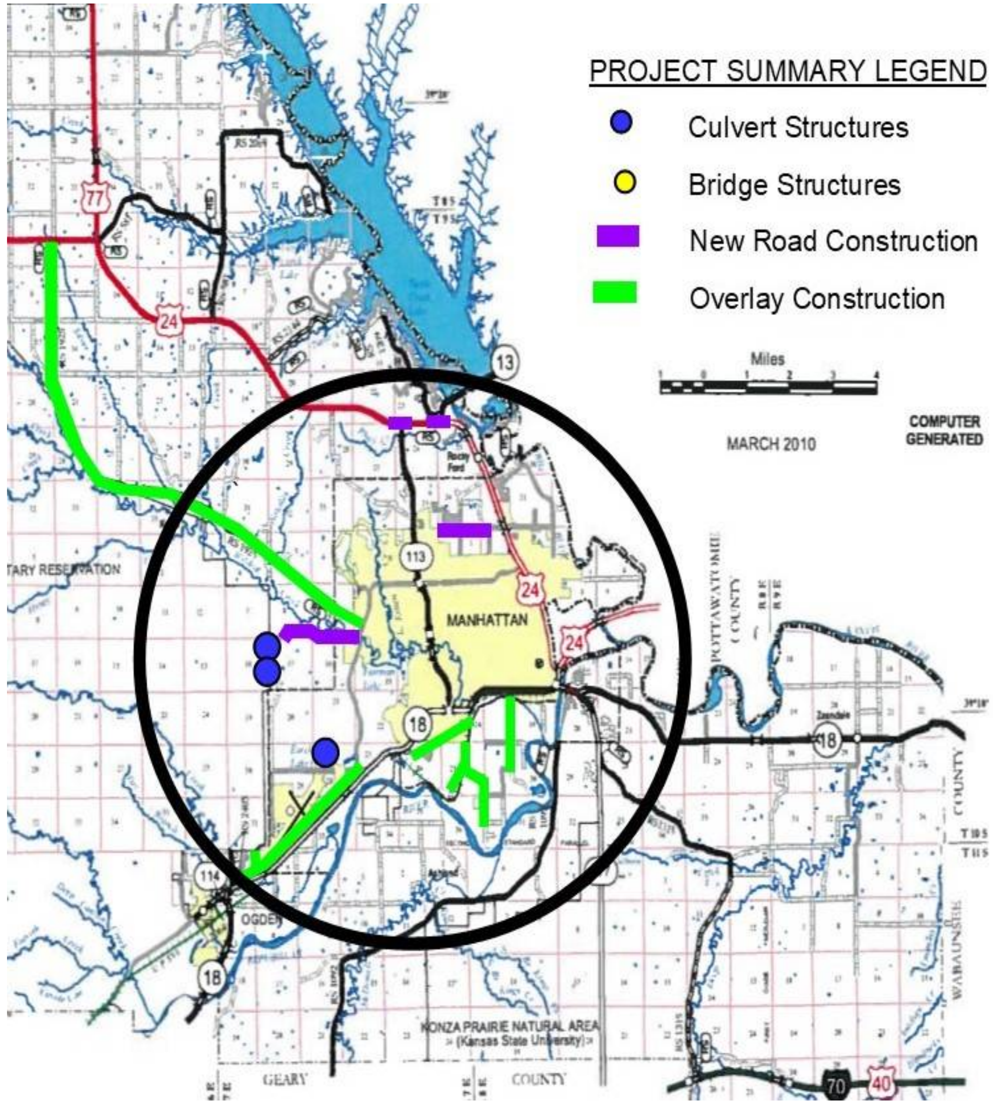

Silver Creek Rd.


Green Randolph Rd.


Wildcat Creek Rd.

Projects Proposed in the Manhattan Area

$5.7 million

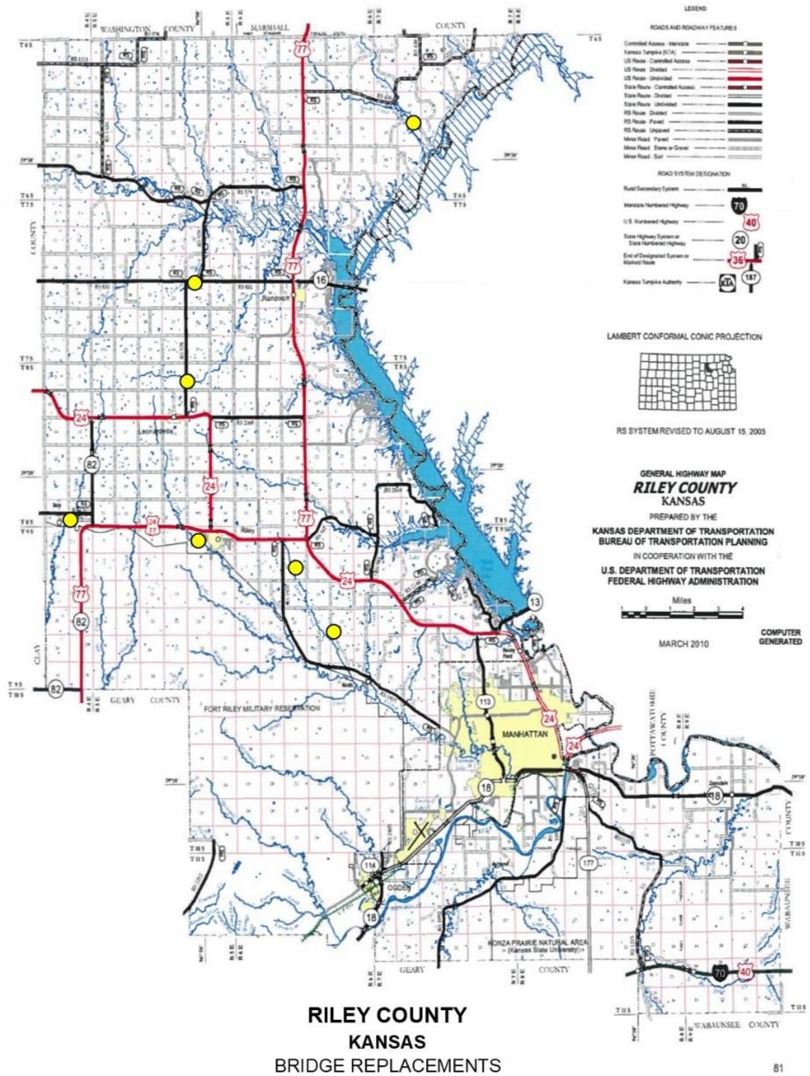


Revenue Generated for County Road and Bridge Projects

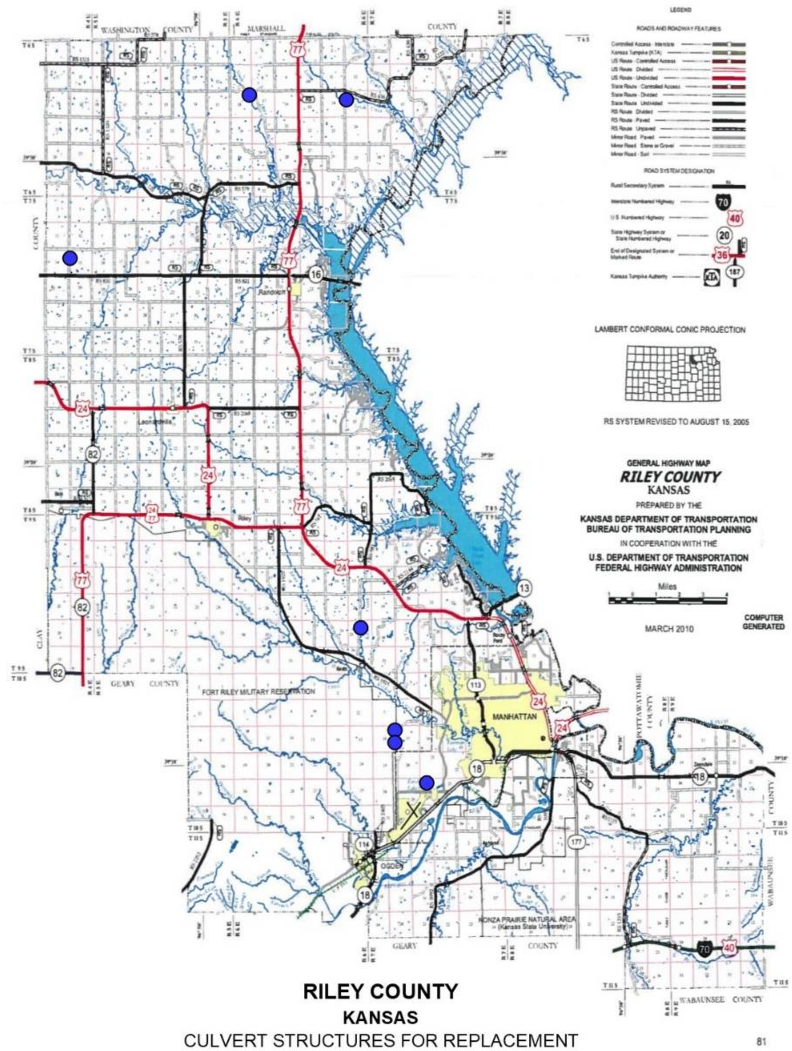
- Generates an estimated $1.8 million in revenue annually for county projects, which is equivalent to an increase in property taxes of approximately **2.6 mils**
- Existing countywide sales tax for Roads and Jobs will end December of 2022.
- If approved in the November __, 2021 general election the 0.2 cent proposed sales tax will replace the current combined County-City 0.5 cent sales tax.

7 Proposed Bridge Replacement Projects

- Lasita Rd. Br.
- Silver Creek Rd.
- Sunstead Lane
- Carlson Rd.
- Green Randolph Rd.
- Crooked Creek Rd.
- Kansas Ave. (W. of Riley)



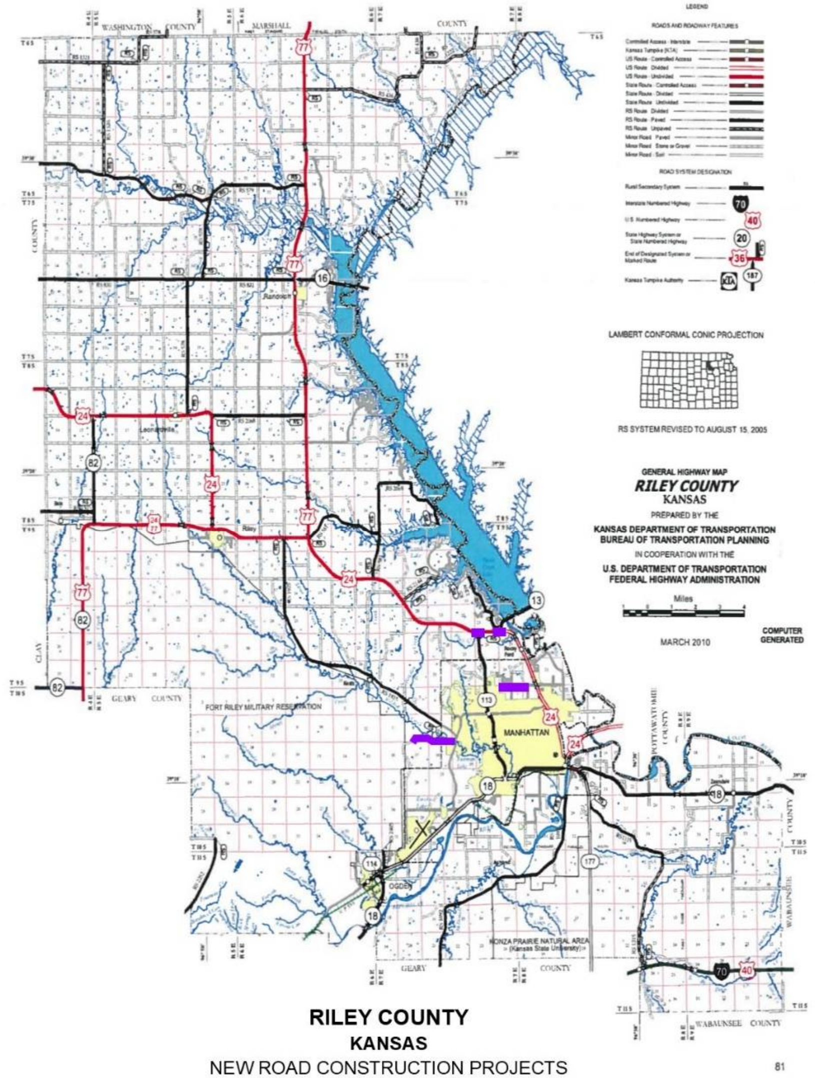
7 Proposed Culvert Replacement Projects



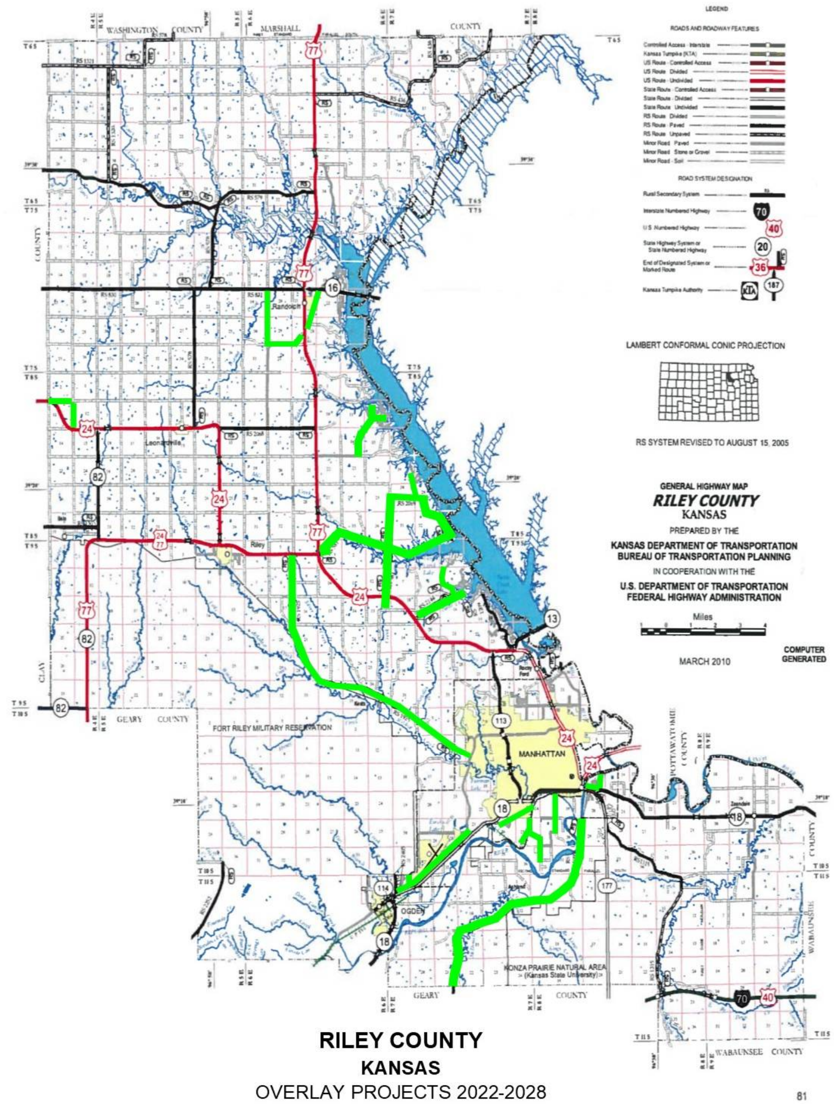
- Jerusalem Rd.
- Lasita Rd.
- Halls Ravine Rd.
- Airport Rd.
- Kitten Creek Rd.
- Wildcat Creek Rd.
- Wildcat Creek Rd.

3 Proposed Road Reconstruction Projects

- Wildcat Creek Rd.
  Skyway Dr. West 2.1 miles
- Marlatt Ave. (Design Only)
  Denison Ave. to Browning Ave.
- K-13/US-24 Intersection
- K-113/US-24 Intersection

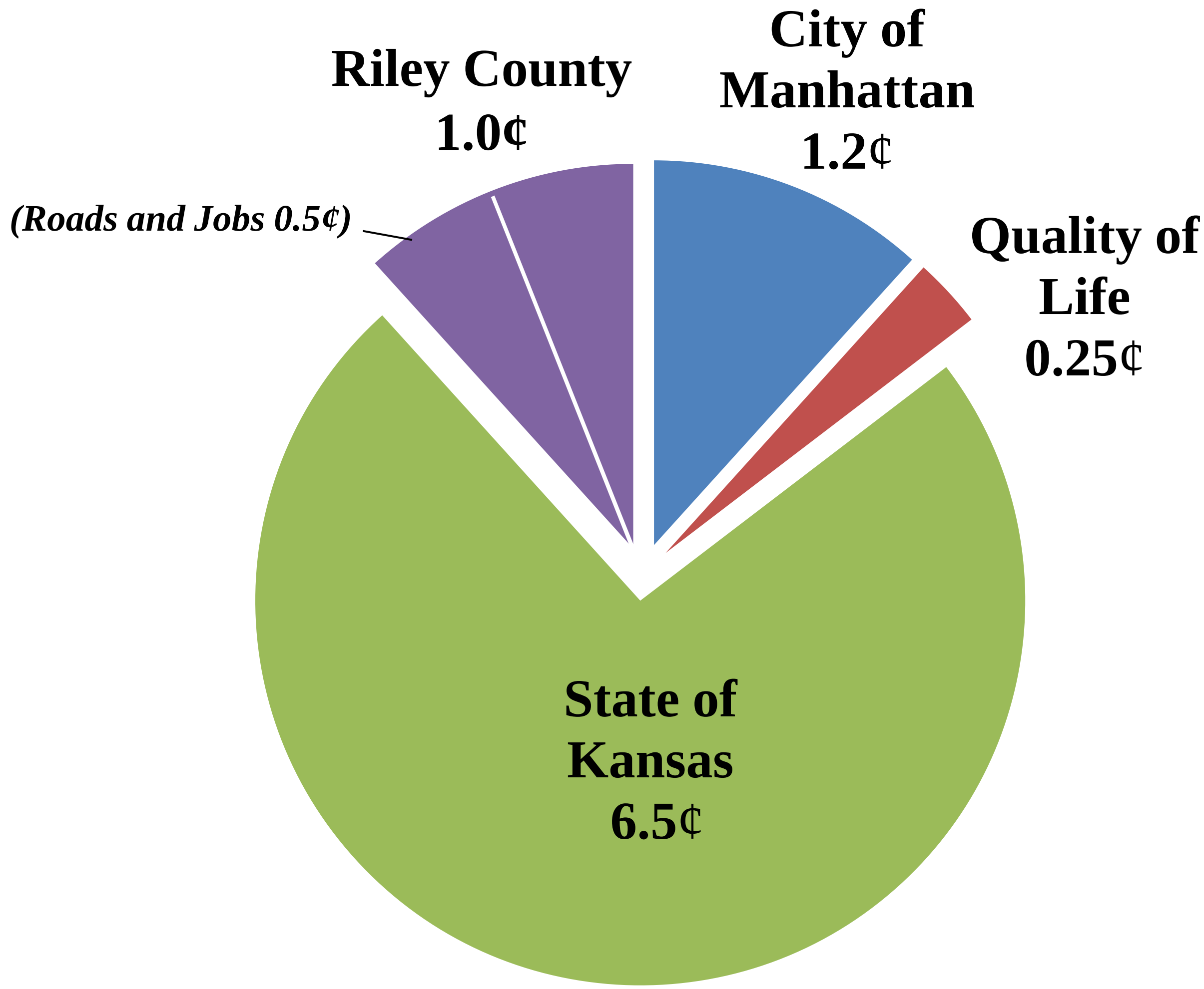


5 Proposed Asphalt Overlay Projects



Sales Tax Comparison With Other Cities in Kansas

Junction City	9.750%	Hays	8.750%
Coffeyville	9.500%	**Manhattan**	**8.950%**
Bonner Springs	9.250%	Prairie Village	8.975%
Dodge City	8.650%	Garden City	8.950%
Topeka	9.150%	Emporia	8.500%
Kansas City	9.125%	Leavenworth	9.500%
Lenexa	9.350%	Salina	9.250%
Lawrence	9.300%	Abilene	8.750%
Leawood	9.100%	Great Bend	8.250%
Overland Park	9.100%	Hutchinson	8.600%
Liberal	9.250%	Pratt	9.000%
		Average	**9.045%**



Current Local Sales Tax Breakdown

8.95 cents on the dollar

PROPOSED ESTIMATED **0.2 CENT** SALES TAX ALLOCATIONS 2023 - 2028

Riley County	$9,000,000
Small Cities	$ 1,000,000
Total	$10,000,000

(Projections based on 2021 estimated receipts)

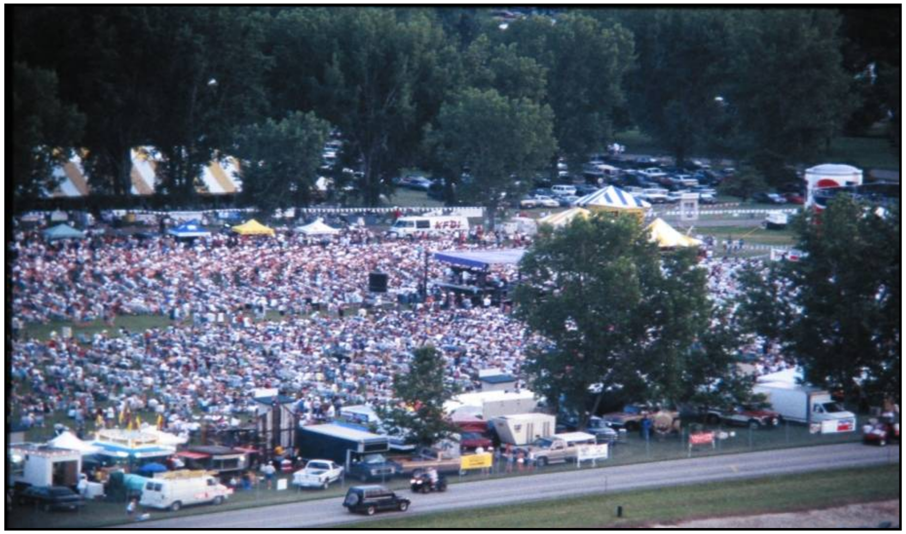
Sales Tax vs. Property Tax

- 35% of the real estate in Riley County is exempt from property tax
- Property taxes in Riley County are paid by approximately 30,000 taxpayers
- Sales tax is paid by 130,000+ people from the Metropolitan Statistical Area - plus more than one million visitors attending football games, basketball games, cultural events, Ft. Riley, outdoor recreation, and national, regional, or state meetings and conferences annually

Sources that Generate Sales Tax

K-State Students and Parents

Outdoor Recreation and Events



Ft. Riley Soldiers and Families

KSU Athletic Events

Conclusion

The Riley County Commission have the option of utilizing two sources of funding:

- Property tax paid by Riley County property owners (30,000)
- Sales tax paid by people who trade in Riley County (130,000+) and over 1 million visitors annually

Sales Tax

The Riley County Commission will place a question for a 0.2% cent countywide sales tax for Roads and Bridges on the ballot in the November __, 2021 general election

Sales Tax Question

Shall the following be adopted?

Shall a countywide retailers' sales tax in the amount of one-half of one percent (.5%) (the "Sales Tax") be levied in Riley County, Kansas (the "County"), to take effect after the County's current one-half of one percent (.5%) sales tax levied by Resolution No. 032504-10 expires December 31, 2012, with the proceeds of the Sales Tax distributed to the County and the cities located within the County as required by law and used: (i) by the County to pay the costs of developing, improving, and maintaining the system of roads, bridges and culverts located in the County, (ii) by the City of Manhattan for economic development initiatives that occur within Riley County and which benefit the City of Manhattan, Kansas, as determined and authorized by the Governing Body of the City; provided, however, such revenue may be used for economic development initiatives that occur outside of Riley County, if the Governing Body of the City determines that Riley County will benefit from such initiatives, and the Board of Riley County Commissioners agree, in writing, with such determination, and (iii) the proceeds distributed to other cities within the County to be used as those cities determine to be in their best interests, provided further that, the Sales Tax shall end December 31, 2022, all pursuant to K.S.A 12-187 et seq., as amended?

PLEASE VOTE

November ___, 2021

RILEY COUNTY

www.rileycountyks.gov

Questions?

COUNTY CLERK & ELECTIONS
Budget

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

MEMORANDUM

FROM: **Tami Robison, Budget & Finance Officer**

MEETING: **July 8, 2021**

SUBJECT: **2022 Budget Work Session**

PRESENTER: **Tami Robison, Budget & Finance Officer**

Presenting the attached memo, 2022 Budget Developmental Worksheet and Riley County Appropriation Request and History.

Enclosures:
- July 8 Budget Work Session memo (PDF)
- 2022 prelim Budget Development WS updated 07012021 (PDF)
- 2022 Appropriation Requests Summary (PDF)

Tami Robison
Budget & Finance Officer
110 Courthouse Plaza
Manhattan, Kansas 66502-0109
Phone: 785-537-6359
Fax: 785-537-6394
E-mail: trobison@rileycountyks.gov

CLERK'S OFFICE

To: Board of County Commissioners
From: Tami Robison; Budget & Finance Officer
Re: 2022 Budget Work Session
Date: July 8, 2021

During this work session, the 2022 Budget Development Worksheet and the Riley County Appropriation Request and History will be presented for further review and discussion.

The 2022 Budget Development Worksheet is a two page document. The first page is expenditures consisting of the 2020 Actual Expenditures, 2021 Budget and 2022 Requested Budget for all mill levied funds: General, Bond & Interest, County Building and RCPD funds. The second page, left side column is revenues for the same mill levied funds. The right side is the equation of mill levied fund expenditures of $50,124,005 less mill levied fund revenues of $19,824,688 equaling required ad valorem tax plus RCPD calculated delinquency of $62,486 totaling $30,361,803. The value of a mill, $677,488 is provided as well as the mill levy of 44.815 to fund the 2022 proposed budget. This is a 2.530 mill increase from the 2021 budgeted mill levy and is more than the calculated Revenue Neutral Rate.

The Riley County Appropriation Request and History spreadsheet is also included. It provides history from each agency's appropriation request and approved amount from 2019 thru 2021 as well as their 2022 request. Each section is segregated by the fund the appropriation is paid from: General, RCPD, and Economic Development. Each appropriation is paid with ad valorem tax dollars. As requested at the last work session, the amount in the approved column reflects the 2021 approved amount except for ATA Bus, RCPD and Riley County General Eco Devo appropriations.

The transfer from General Fund to CIP consists of $819,805 for the annual radio project lease, annual hardware refresh reserve, annual motor grader lease payment and the payment transferred annually from CIP to Bond and Interest for the Facilities & Bridge Projects in the 2017 Refunding G.O. Bond. The remaining $2,900,000 requested is for future requested & approved CIP projects.

With requests made to date and excluding the ARP funding which is both a budgeted revenue and expense, total general fund expenditures have increased by $1,088,346. The three C's make up an increase of $571,333, personnel increased $487,013 and appropriation requests increased $30,000 due to ATA bus. Largely due to the adjustment of wages for incoming Department Heads replacing long-term employees and the health insurance moratorium, wages did not increase the full calculated percentage for STEP and COLA.

Tami Robison
Budget & Finance Officer
110 Courthouse Plaza
Manhattan, Kansas 66502-0109
Phone: 785-537-6359
Fax: 785-537-6394
E-mail: trobison@rileycountyks.gov

RILEY COUNTY

CLERK'S OFFICE

General Fund departments – Voluntary decreases
Register of Deeds $700
Fair $450
District Court $5,000
Ambulance $28,450
Emergency Management $8,000
Elections $4,000
Clerk $7,300
Treasurer $9,000
Admin Services $900
Museum $275
IT $31,258
Planning & Development $20,000
PW $145,500
General-General (due to flat indigent attorney adjustment) $23,801
Economic Development transfer (due to level appropriation request change) $14,500
Appropriations (due to level appropriation request change) $58,378
BOCC wages (from 2021 mid-year decrease exclusion) $2,121
Budget Stabilization exclusion $250,000

<u>Total voluntary decreases $609,633</u>

Actual factors to general fund mill increase after changes:
Excluding ARP funding, budgeted revenue decrease $740,614
Wage increase (STEP & COLA) $487,013
IT-Open.Gov contract, Aerial flight, tech equipment increases $177,000
Attorney-Odyssey software, Lexis Nexis subscription cost increases $32,000
Clerk-SB13 mailings $18,500 increase
Elections-print/postage/supply cost for advance voters, election equip maintenance increase $91,000
PW-fuel/lubricant, asphalt & bridge construction cost increases $165,000
Liability/Work Comp/Auto/Property Insurance-5% increase from 2021 expected costs $57,000
Gen-Gen-wage study, utility costs increase $53,000
ATA Bus increase $30,000
Other departments decrease netted ($52,336)

<u>Total actual factors of mill increase $1,798,791</u>

Estimated adjustments not captured in mill increase of general fund:
--Unable to increase mill by capturing value of new improvements ($8,179,197), taxes not collectible due to Revenue Neutral taxation $289,331
--Estimated revenue loss in general fund from 2020 affecting 2021 and 2022 budget/actuals based on average growth factor of 6.95% from 3 years prior to COVID $618,263

Uncaptured New Improvements	$ 289,331
Estimated Revenue Loss 2020	<u>$ 618,263</u>
	$ 907,594
Mill Equivalent	1.340

2022 Budget Development Worksheet

#	DEPARTMENT	2020 Actual Contractual Services, Commodities & Capital	2020 Actual Personnel Services (Includes STEP/COLA)	2020 Actual Total	2021 Budgeted Contractual Services, Commodities & Capital	2021 Budgeted Personnel Services	2021 Budgeted Total	2022 Proposed Contractual Services, Commodities & Capital	2022 Proposed Personnel Services (Includes STEP)	2022 Proposed Budget Total	Percent change of 3 C's	#	
1	Administrative Services	43,737	552,410	596,147	55,771	571,718	627,489	44,358	597,372	641,730	-20.46%	1	
2	Ambulance	312,240	3,197,221	3,509,461	354,275	3,320,095	3,674,370	325,825	3,486,746	3,812,571	-8.03%	2	
3	Appraiser	170,009	1,507,244	1,677,253	148,555	1,520,484	1,669,039	148,515	1,565,293	1,713,808	-0.03%	3	
4	Attorney	153,929	1,843,172	1,997,101	181,795	1,945,280	2,127,075	221,966	1,996,479	2,218,445	22.10%	4	
5	Clerk	36,145	871,730	907,875	67,250	888,435	955,685	87,500	994,610	1,082,110	30.11%	5	
6	Commissioners	36,110	175,196	211,306	47,480	191,721	239,201	47,480	196,995	244,475	0.00%	6	
7	Coroner	99,571	0	99,571	107,000	0	107,000	107,000	0	107,000	0.00%	7	
8	District Court	169,470	0	169,470	168,175	0	168,175	174,330	0	174,330	3.66%	8	
9	Elections	232,610	366,800	599,410	186,300	395,435	581,735	277,650	419,128	696,778	49.03%	9	
10	Emergency Management	63,221	229,429	292,650	53,282	212,184	265,466	53,450	215,284	268,734	0.32%	10	
11	Fair	97,921	0	97,921	102,400	0	102,400	102,400	0	102,400	0.00%	11	
12	General Services	1,068,438	157,430	1,225,868	4,267,550	117,620	4,385,170	11,522,898	87,863	11,610,761	1.08%	12	*
13	Information Systems/GIS	840,769	855,524	1,696,293	679,832	940,016	1,619,848	856,732	881,874	1,738,606	26.02%	13	
14	Insurance	590,446	0	590,446	681,849	0	681,849	739,289	0	739,289	8.42%	14	
15	Juvenile Detention	85,358	0	85,358	95,000	0	95,000	95,000	0	95,000	0.00%	15	
16	Museum	11,361	414,130	425,491	15,215	413,100	428,315	15,215	434,909	450,124	0.00%	16	
17	Noxious Weed	199,541	503,728	703,269	216,210	468,464	684,674	221,210	486,404	707,614	2.31%	17	
18	Planning & Development	46,699	557,830	604,529	53,345	539,484	592,829	57,795	538,658	596,453	8.34%	18	
19	Register of Deeds	49,917	440,882	490,799	55,210	460,743	515,953	58,410	406,404	464,814	5.80%	19	
20	Public Works	3,345,196	4,381,988	7,727,184	3,474,600	4,627,295	8,101,895	3,645,750	4,584,676	8,230,426	4.93%	20	
21	Treasurer	53,341	806,594	859,935	51,080	825,616	876,696	51,280	857,058	908,338	0.39%	21	
22	Juvenile Supervision fees	540	0	540	1,794	0	1,794	1,318	0	1,318	-26.53%	22	
23	Transfer to Health Dept. Fund	1,154,526	0	1,154,526	1,154,526	0	1,154,526	1,154,526	0	1,154,526	0.00%	23	
24	Transfer to Landfill Close	30,000	0	30,000	30,000	0	30,000	30,000	0	30,000	0.00%	24	
25	Transfer-Economic Dev.	300,000	0	300,000	300,000	0	300,000	285,500	0	285,500	-4.83%	25	
26	Transfer-Benefit District	15,067	0	15,067	0	0	0	0	0	0	0.00%	26	
27	Transfer-Disaster Fund	6,501	0	6,501	0	0	0	0	0	0	0.00%	27	
28	Transfer - Capital Improvement	3,766,936	0	3,766,936	3,716,027	0	3,716,027	3,719,805	0	3,719,805	0.10%	28	
29	Non-Appropriated	0	0	0	580,000	0	580,000	580,000	0	580,000		29	
30	COST OF COLA	0	0	0	0	0	0	0	174,950	174,950		30	Wages
	SUBTOTAL:	**$12,979,599**	**$16,861,308**	**$29,840,907**	**$16,844,521**	**$17,437,690**	**$34,282,211**	**$24,625,202**	**$17,924,703**	**$42,549,905**	3.39%		2.79%
										571,333			$487,013
										42,549,905			
	Appropriations:												
31	Big Lakes Developmental	217,260	0	217,260	217,260	0	217,260	217,260	0	217,260	0.00%	31	
32	Animal Shelter / Contractual	60,000	0	60,000	60,000	0	60,000	60,000	0	60,000	0.00%	32	
33	Council on Aging	275,000	0	275,000	275,000	0	275,000	275,000	0	275,000	0.00%	33	
34	ATA Bus	50,000	0	50,000	70,000	0	70,000	100,000	0	100,000	42.86%	34	
35	Emergency Shelter	11,000	0	11,000	11,000	0	11,000	11,000	0	11,000	0.00%	35	
36	Extension	599,645	0	599,645	599,645	0	599,645	599,645	0	599,645	0.00%	36	
37	Pawnee Mental Health	300,000	0	300,000	300,000	0	300,000	300,000	0	300,000	0.00%	37	
38	Riley Cty Genealogical Soc.	3,500	0	3,500	3,500	0	3,500	3,500	0	3,500	0.00%	38	
39	Riley County Conservation	55,136	0	55,136	55,136	0	55,136	55,136	0	55,136	0.00%	39	
40	Riley Co Community Corrections	7,081	0	7,081	7,081	0	7,081	7,081	0	7,081	0.00%	40	
	SUBTOTAL:	**$1,578,622**	**$0**	**$1,578,622**	**$1,598,622**	**$0**	**$1,598,622**	**$1,628,622**	**$0**	**$1,628,622**	1.88%		
										$30,000			
	GENERAL TOTAL:	**$14,558,221**	**$16,861,308**	**$31,419,529**	**$18,443,143**	**$17,437,690**	**$35,880,833**	**$26,253,824**	**$17,924,703**	**$44,178,527**	3.03%		
										1,088,346			
41	Bond & Interest	527,092	0	527,092	598,752	0	598,752	615,303	0	615,303	2.76%	41	
42	County Building	392,814	0	392,814	393,000	0	393,000	393,000	0	393,000	0.00%	42	
43	RCPD	5,393,492	0	5,393,492	4,712,215	0	4,712,215	4,937,175	0	4,937,175	4.77%	43	
	SUBTOTAL:	**$6,313,398**	**$0**	**$6,313,398**	**$5,703,967**	**$0**	**$5,703,967**	**$5,945,478**	**$0**	**$5,945,478**			
	TOTAL:	**$20,871,619**	**$16,861,308**	**$37,732,927**	**$24,147,110**	**$17,437,690**	**$41,584,800**	**$32,199,302**	**$17,924,703**	**$50,124,005**			
44	Capital Improvement	5,406,963	0	5,406,963	9,070,167	0	9,070,167	8,904,156	0	8,904,156	-1.83%	44	
45	Economic Development	306,816	0	306,816	401,322	0	401,322	409,048	0	409,048	1.93%	45	

* removed ARP funds from calculation

2022 BUDGET DEVELOPMENT WORKSHEET

BUDGETED REVENUE

COUNTY TREASURER	2020 BUDGET	2021 BUDGET	2022 BUDGET
Motor Vehicle Tax	2,329,188	2,499,298	2,421,547
Recreational Vehicle Tax	20,555	22,383	22,568
16/20M Vehicle Tax	20,336	20,116	21,820
Commercial Vehicle Fees	103,790	103,657	96,835
Special City & County Highway Fund	1,105,011	1,105,010	947,152
Investment Income	450,000	200,000	25,000
Sales Tax	1,500,000	1,500,000	1,600,000
Intangible Tax	206,594	199,173	243,862
Vehicle Rental Excise Tax	39,018	42,415	27,831
Interest on Taxes	125,000	200,000	250,000
Watercraft	12,785	13,602	14,379
SUBTOTAL:	**$ 5,912,277**	**$ 5,905,654**	**$ 5,670,994**

DEPARTMENT FEES & OTHER	2020 BUDGET	2021 BUDGET	2022 BUDGET
Unencumb. Cash Bal.-General	3,690,534	4,355,279	3,875,160
Unencumb. Bal.-County Building	30,595	18,956	5,251
Unencumb. - Bond & Interest	167,209	161,104	196,559
Unencumb. - RCPD	625,649	125,736	80,904
Bond & Interest Special Assessment	203,925	185,409	183,112
Recording Fees - ROD	275,000	275,000	275,000
21st Judicial Dist Case Receipts-DC	45,000	45,000	45,000
Payment in Lieu of Taxes (PILT) Program/Fed Grant	35,000	37,000	7,246,348
Franchise Fees	40,000	40,000	38,000
Ambulance Fees	1,185,462	1,110,422	1,203,688
Fees-Attorney (Diversion)	50,000	52,000	55,000
Fees-Clerk	3,500	3,500	3,000
Fees-Elections	2,000	2,000	5,000
Fees-Fair	30,000	30,000	20,000
Grant - Emergency Management	0	30,000	0
Fees-Noxious Weed	130,000	120,000	100,000
Fees-Public Works/Parks	480,000	480,000	480,000
Fees-Planning & Development	33,000	35,000	35,000
Fees-Juvenile Supervision	567	500	300
Fees-Appraiser	14,000	14,000	15,600
Fees- Treasurer	7,000	7,500	7,500
Fees - Register of Deeds	20,000	20,000	20,000
Heritage Trust	25,000	25,000	25,000
Transfer from MV to General	0	45,527	4,177
Transfers from Economic Development to B&I	46,025	44,975	43,925
Transfer from CIP to Bond & Interest	181,945	186,392	190,170
SUBTOTAL	**$ 7,321,411**	**$ 7,450,300**	**$ 14,153,694**
TOTAL REVENUE	**$ 13,233,688**	**$ 13,355,954**	**$ 19,824,688**

Unencum-bered Ending Cash

These revenues go into the "licenses, fees, permits" line in St. Gen. Fund revenue budget.

BUDGETED EXPENDITURES

	2020	2021	2022	% chg	Ad Valorem per Fund	Tax R per Fu
General	$35,296,802	$35,880,833	$44,178,527	3.03%	25,479,895	37.
Bond & Interest	657,092	598,752	615,303	2.76%	-	0.
County Building	383,000	393,000	393,000	0.00%	356,151	0.
RCPD Fund	5,136,455	4,712,215	4,937,175	4.77%	4,525,757	6.
					30,361,803	44.
TOTAL EXPENDITURES	**$41,473,349**	**$41,584,800**	**$50,124,005**			
(Budget)Value of a MILL =	657,136	669,563	677,488			
MINUS						
TOTAL REVENUE	**13,233,688**	**13,355,954**	**19,824,688**			
EQUALS						
AMT. AD VALOREM TAX REQUIRED	**$28,297,344**	**$28,312,598**	**$30,361,803**	Add delinquency for RCPD		
TOTAL MILLS NEEDED	**43.062**	**42.285**	**44.815**			
Mill levy diff. from previous budget year	**2.145**	**(0.776)**	**2.530**			

	General	B&I	Building	RCPD	Total
Revenue Neutral Mill Rate (28,312,598/677,488)	34.954	0.025	0.507	6.305	41.791
Revenue Neutral $$	$23,681,104	$16,723	$343,395	$4,271,376	$28,312,598
Overage on Neutral Mill Rate	2.655	-0.025	0.019	0.375	3.024
Revenue Neutral $$ Overage	$1,798,791	-$16,723	$12,756	$254,381	$2,049,205

One mill of taxation is equal to $1 on each $1,000 of assessed value.

Assessed valuation	677,488,007
Value of one mill (677,488,007/1000)	$ 677,488

Riley County Agency Appropriation Request and History

Agency	2019 Requested	2019 Approved	% Change *	2020 Requested	2020 Approved	% Change *	2021 Requested	2021 Approved	% Change *	2022 Requested	2022 Approved	% Change *	Fund Paid Fro
Emergency Shelter	$11,000	$11,000	0.00%	$22,000	$11,000	100.00%	$11,000	$11,000	0.00%	$11,000	$11,000	0.00%	General Fund
Genealogical Society	$3,500	$3,500	0.00%	$3,500	$3,500	0.00%	$3,500	$3,500	0.00%	$3,500	$3,500	0.00%	General Fund
Animal Shelter	$65,000	$65,000	0.00%	$65,000	$60,000	0.00%	$65,000	$60,000	8.33%	$60,000	$60,000	0.00%	General Fund
Extension	$576,000	$574,600	0.24%	$599,645	$599,645	4.36%	$599,645	$599,645	0.00%	$608,645	$599,645	1.50%	General Fund
Riley County Area Agency on Aging	$279,198	$266,527	4.75%	$283,757	$275,000	17.72%	$289,147	$275,000	5.14%	$287,694	$275,000	4.62%	General Fund
--HVAC request				$30,000	$15,000					--			General Fund
Pawnee Mental Health	$559,838	$265,120	111.16%	$531,395	$300,000	100.44%	$300,000	$300,000	0.00%	$300,000	$300,000	0.00%	General Fund
Big Lakes Development	$213,000	$213,000	0.00%	$217,260	$217,260	2.00%	$217,260	$217,260	0.00%	$221,605	$217,260	2.00%	General Fund
Community Corrections	$0	$0	0.00%	$13,875	$7,081		$11,795	$7,081	66.57%	$19,420	$7,081	174.26%	General Fund
Soil Conservation	$55,136	$55,136	0.00%	$55,136	$55,136	0.00%	$55,136	$55,136	0.00%	$55,136	$55,136	0.00%	General Fund
ATA Bus (Line 2780)	$20,000	$20,000	0.00%	$20,000	$20,000	0.00%	$20,000	$20,000	0.00%	$20,000	$20,000	0.00%	Public Works
ATA Bus	$100,000	$100,000	0.00%	$100,000	$100,000	0.00%	$70,000	$70,000	-30.00%	$100,000	$100,000	42.86%	General Fund
General Fund Total:	$1,882,672	$1,573,883		$1,941,568	$1,663,622		$1,642,483	$1,618,622		$1,687,000	$1,648,622		
RCPD Fund:	$4,291,380	$4,291,380	5.86%	$4,420,348	$4,420,348	3.01%	$4,391,746	$4,391,746	-0.65%	$4,597,175	$4,597,175	4.68%	RCPD Fund 17
Downtown Manhattan, Inc.	$10,000	$0	0.00%	$5,000	$5,000		$5,000	$5,000	0.00%	$10,000	$5,000	100.00%	Economic Dev.
Manhattan Chamber of Commerce	$61,500	$60,000	2.50%	$60,000	$55,000	0.00%	$55,000	$55,000	0.00%	$55,000	$55,000	0.00%	Economic Dev.
Governor's Military Council	$5,000	$5,000	0.00%	$5,000	$5,000	0.00%	$0	$0	-100.00%	$0	$0	#DIV/0!	Economic Dev.
Aggieville Business Association	$0	$0	0.00%	$4,800	$0		$9,500	$0		$9,500	$0	#DIV/0!	Economic Dev.
Riley County General Eco Devo	$50,000	$50,000	-3.25%	$50,079	$49,879	0.16%	$74,190	$74,190	48.74%	$232,850	$232,850	213.86%	Economic Dev.
Flint Hills Regional Transit Admin	$0	$0	-100.00%	$0	$0		$0	$0		$0	$0		Economic Dev.
Friends of Peace Memorial Auditorium	$0	$0	-100.00%	$0	$0		$0	$0		$0	$0		Economic Dev.
Flint Hills Veteran's Coalition	$1,000	$1,000	0.00%	$1,000	$1,000	0.00%	$1,015	$1,100	1.50%	$1,015	$1,015	-7.73%	Economic Dev.
Eco. Devo. Total:	$127,500	$116,000		$125,879	$115,879		$144,705	$135,290		$308,365	$293,865		
GRAND TOTAL:	**$6,301,552**	**$5,981,263**		**$6,487,795**	**$6,199,849**		**$6,178,934**	**$6,145,658**		**$6,592,540**	**$6,539,662**	7.27%	
ADD'L REQUEST:													
Three Rivers Inc.	$25,000	Not approved		20,000	Not approved		-	$0	N/A	8,000	$0	N/A	Economic Dev.
Indigent Attorney Panel	$401,700	$400,000	4.07%	$433,819	$407,550	8.45%	$400,550	$400,550	0.14%	$424,351	$400,550	4.12%	General Fund
NEW REQUEST TOTAL	$426,700	$400,000		$453,819	$407,550		$400,550	$400,550		$432,351	$400,550		
NEW GRAND TOTAL WITH NEW AGENCY A	**$6,728,252**	**$6,381,263**		**$6,941,614**	**$6,607,399**		**$6,579,484**	**$6,546,208**		**$7,024,891**	**$6,940,212**	7.31%	

*** Percentage of change is based on difference from prior year final to current year requested.**

Prepared By:
Tami Robison
Budget Finance Officer