



**Board of Riley County
Commissioners
Regular Meeting
Minutes
July 24, 2023**

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

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

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

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

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

8:30 AM

Call to Order

Attendee Name	Title	Status	Arrived
John Ford	County Commissioner	Present	8:30 AM
Kathryn Focke	County Commissioner	Present	8:30 AM
Greg McKinley	County Commissioner	Present	8:30 AM
Cindy Kabriel	Senior Administrative Assistant	Present	8:30 AM
Clancy Holeman	Counselor/Director of Administrative Services	Present	8:30 AM
Gary Olds		Present	8:30 AM
Elizabeth Ward	Human Resource Director	Present	8:34 AM
Amanda Webb	Planning/Special Projects Director	Present	8:55 AM
Russel Stukey	Emergency Management Director	Present	8:56 AM
Bob Isaac	Planner	Present	8:57 AM
Brittany Phillips	Budget and Finance Officer	Present	8:50 AM
Craig Cox	Deputy County Counselor	Present	9:00 AM
Vivienne Leyva	PIO	Present	9:25 AM
Lori Muir	Real Estate Specialist	Present	9:28 AM
Brian Foster	BG Consultants	Present	9:28 AM
Roger Nelson		Present	2:15 PM
Klint Spiller	Attorney for Shane Rhoton - Kennedy Berkley Attorn	Present	2:15 PM
Paige Harding	Intern at Kennedy Berkley Attorneys	Present	2:15 PM

Pledge of Allegiance

Public Comment

1. Public Comments

Olds said he appreciates the commissioners' service.

Olds presented a lot of questions and statements to the commissioners for consideration.

Olds said is not sure how to move forward but something needs to be

done with the structure of RCPD Law Board. Olds said at one time it was all commissioners. Olds discussed the escalating cost of RCPD budget that the commissioners don't have control over. Olds said law enforcement is important.

Olds said affordability in the county and community is also important.

Commission Comments

2. Commission Comments

Focke's Comments:

Thursday morning, I attended the Good Morning Manhattan breakfast event sponsored by the chamber. Guest speaker was Aaron Stewart, new director of the Manhattan Parks and Recreation department. He is a native Manhattanite and graduated from KSU. He has some great credentials and was excited to come back home to work in his field. He had a short presentation and then took questions from the audience.

That afternoon I attended the Joint City/City/County meeting at City Hall in the City Commission Room. Vickie James gave the annual report for the Food and Farm Council.

After the meeting, I helped serve and clean up at the community meal at First Lutheran. We were short several people, so we all did some double duty for the night. The meal was well attended by over 80 people, with a lot of children.

Friday, I had an early morning doctor's appointment and then spent time in my home office going through e-mails, messages, and the agenda and reports for today's meeting.

Ford's Comments:

Thursday afternoon I attended the July Joint City/County/County meeting over at Manhattan City Hall. It was good to get an update as well as the Annual Report for the Food and Farm Council. It looks as if they have had a busy last year working on all the things that they have been working on. It was also good to have a chat with the city on a couple of other issues including recent appraisals and property taxes.

Friday afternoon I had the chance to meet with Riley County Public Information Officer, Vivienne Levy to discuss several items and catch up on some press and media related thoughts moving forward. Enjoyed

getting some insight and ideas on a subject matter that can frustrate us all at times. Had a great dialog and there may be more to come at a later date.

Spent some time over the weekend getting caught up on the by-laws and policy resolutions for NACo's Veterans and Military Services Committee. As you are aware they are working on those as we speak at the Annual Conference taking place in Austin, Texas so there should be an update between now and September. Most of the current resolutions for 2022-23 are dealing with the passage and implementation of the PACT Act.

McKinley's Comments:

Tried to get work done outside before this week's heat wave.

Business Meeting

3. Sign Riley County Employee Action Form(s)

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

- Roger Abernathy, a Volunteer Firefighter Stipend, in the Riley County Fire District #1 Department, for Separation from County Service, effective July 18, 2023.
- Vania Espinoza-Avila, a new hire, as an As Needed Intern, in the Health Department, at a Range TASND.

4. Sign Tax Roll Corrections

Move to approve the Tax Roll Corrections.

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

Review Minutes

5. Board of Riley County Commissioners - Regular Meeting - Jul 20, 2023 9:00 AM

Move to approve the minutes.

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

Press Conference Topics

6. Discuss Press Conference

Review Tentative Agenda

7. Tentative Agenda

9:00 AM

Amanda Webb, Planning/Special Projects Director

8. Proposed Stadel Road sewer benefit district

Webb presented the proposed Stadel Road sewer benefit district.

Webb discussed Part A, Part B, and the proposed city sewer benefit district that includes county property in Part C.

Stukey said the Fire District doesn't need sewer service. Stukey said the land is county.

Cox said it is going to be a city sewer district not county.

Cox said if the county property ever sold having sewer to the property would be a selling point.

Cox said the sewer line to Riley County property would be a one time assessment of \$8,000 to pay for infrastructure and if you don't add sewer to the lot there will not be any more cost at this time.

Discussion followed on the other lots around the county property.

The commissioners requested more information be presented before making a decision.

9:30 AM**Press Conference**

9. RNR Statements - Lori Muir (2 minutes)

Muir said the Revenue Neutral Rate letters will be going out in the next two weeks. Muir said August 10th is the date they will be sent. Muir said this is just an estimate for your information not a tax statement.

9:35 AM**Amanda Webb, Planning/Special Projects Director**

10. Review a memo forwarded from the Riley County Planning Board regarding the annual review of the Comprehensive Plan.

Webb reviewed the memo from the Riley County Planning Board regarding the annual review of the comprehensive plan.

Move to accept the Memo from the Riley County Planning Board regarding the Annual Review of the Comprehensive Plan.

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

11. Comprehensive plan update

Webb presented a Comprehensive Plan update.

Webb discussed the public input survey for the Comprehensive Plan update.

Leyva discussed adding the QR code and/or the survey link to email signature lines.

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

12. Administrative Work Session

13. Pending County Projects County Counselor

- 10:10 AM 14. Executive session for preliminary discussions relating to the acquisition of real property

Move the Board of Riley County Commissioners, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, along with Clancy Holeman, County Counselor; Craig Cox, Deputy County Counselor; and Shelley Woodard, Deputy County Counselor; attorneys for the Riley County Commission, recess into executive session pursuant to the preliminary discussions relating to the acquisition of real property exception to the Kansas Open Meetings Act, the open meeting to resume in the County Commission Chambers at 10:25 a.m. Amanda Webb, Planning/Specials Projects Director will be present during a portion of the executive session to provide factual information.

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

- 10:25 AM Move the Board of County Commissioners come out of executive session.

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

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

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

- 10:30 AM **Julie Gibbs, Health Department Director**

Move to recess as the Board of County Commissioners and convene as the Board of Health.

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

15. Raising Riley Out of State Travel Request

Gibbs presented Out of State Travel Requests for two Raising Riley staff members.

Gibbs said it is covered under the Raising Riley grant.

Move to approve the Out of State Travel Requests for Elizabeth Mills and Chelsea Manwarren, two Raising Riley staff, to attend the Zero to Three LEARN Conference in Minneapolis/St. Paul, Minnesota.

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

Move to recess as the Board of Health and reconvene as the Board of County Commissioners.

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

10:35 AM Amanda Webb, Planning/Special Projects Director

16. Keats Sewer District - Amendment to Owner-Engineer Agreement

Webb presented an amendment to the engineer agreement for Keats sanitary sewer improvements.

Foster said there are a couple of land options from a Keats landowner.

Move to approve the Amendment to Owner-Engineer Agreement with BG Consultants, Inc. for Keats Sanitary Sewer Improvements PER and utilize ARPA funds to pay the additional \$7,500.

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

Adjournment

Move to adjourn after the fence viewing.

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

12:00 PM Intergovernmental Luncheon

17. Intergovernmental Luncheon Agenda

1:30 PM Fence View at approximately 2:00 p.m. at location for Nelson/Rhoton

18. This fence view by the Board of Riley County Commissioners, acting as fence viewers by statute, will take place involving a fence separating parcels owned by Roger and Penny Nelson and Shane Rhoton. Directions to the fence view location are as follows: From highway 77, turn east on Swede Creek Road. Go approximately 5 miles to Bellegarde Road and turn east. Go 1/4 mile and property is on the north. Enter the pasture gate and follow trail to the pond and fence. The view will begin at approximately 2:00 p.m. and be concluded by approximately 3:00 p.m.

Nelson said there was an agreement between him and the previous owner to take care of the fence.

Nelson said the fence was built in 1972.

Nelson said there is going to be maintenance issues with a fence through water.

Spiller said Kansas is a fence in state. Spiller said the livestock owner is responsible for the fence.

Spiller discussed the partition fence statute. The building and maintenance shall be in equal shares, not in halves.

Spiller said Shane Rhoton offered to build the fence but split the cost 50-50.

Spiller said the prior agreement with the previous owner must be a written agreement for the future owner to be effective.

Focke suggested having a contractor come in and do a design and determine the cost for the entire fence line and split it 50-50 if the estimate is reasonable and acceptable by both parties.

Spiller said he likes the idea and will contact his client, Shane Rhoton to discuss this option.

Nelson said he is in agreement with the suggestion.

3:33 Fence view ended.