Board of Riley County Commissioners
Regular Meeting
Agenda
July 26, 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, Twin Valley Telephone
4. 2020 Management Representation letter with James Gordon & Associates, CPA, PA
5. Approve payroll/accounts payables (when completed)

Review Minutes

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

Review Tentative Agenda

7. Tentative Agenda

Press Conference Topics

8. Discuss Press Conference

9:00 AM **Craig Cox, Deputy County Counselor**

9. Public Hearing - Fairmont Heights Sewer Benefit District
10. Fairmont Heights Project

9:15 AM **Lori Feldkamp, Big Lakes Developmental Center Director**

11. Big Lakes Developmental Center update

9:30 AM **Press Conference**

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

9:55 AM **Robbin Cole, Pawnee Mental Health Director**

13. Pawnee Mental Health Services update

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

14. Administrative Work Session
15. Pending County Projects County Counselor

10:30 AM **Jacob Kujath, James Gordon & Associates**

16. 2020 Riley County Financial Statement Audit

10:45 AM **Josh Gering, Assistant EMS/Ambulance Director**

17. Request to Fill Open Position

Adjournment

Announcement

The Flint Hills Regional Leaders Retreat 2021 will be held Thursday, July 29th and Friday, July 30th at the Manhattan Hilton Garden Inn Conference Center.

The Board of County Commissioners will not be in session on Thursday, July 29th.

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 26, 2021**

SUBJECT: **Highway Use Permit, Twin Valley Telephone**

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

BACKGROUND

Twin Valley Telephone is requesting permission to work in the right of way to bury a fiber optic line to 9680 N. 52nd Street.

RECOMMENDATION(S)

Staff recommends approval of the Highway Use Permit as presented.

POSSIBLE MOTION(S)

Move to approve the Highway Use Permit granting Twin Valley Telephone permission to complete the work as outlined in the Permit.

Enclosures:

- 07.14.21_TVT_N 52nd St (PDF)

Permit No. ___________

APPLICATION FOR HIGHWAY USE PERMIT

Riley County, Kansas

Twin Valley Telephone — Installing Underground Telephone Cable
Applicant Name — Type of Construction

PO Box 395 — Miltonvale — KS — 67466
Applicant Mailing Address — City — State — Zip

Applicant hereby requests permission to Bury Fiber Optic Line to 9680 N 52nd St 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: [signature] — 7-14-21
Submitter's signature — Date

Brett F Gisselbeck
Printed Name & Title

785-427-7631 — Twin Valley
Submitter's Telephone Number — Contractor Name

brett.gisselbeck@tvtinc.net — 785-427-7631
Submitter's Email Address — Contractor Telephone Number

Upon Permit Approval — 1 week
Proposed Date of Construction — Estimated Duration of Construction

RECOMMENDED BY: [signature] Hullemann
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. 121607 Date: 7-14-21
Signature: S.S.


9680 N 52ND ST
Proposed Bore
B2-3B-3
1060'
B2-3B-4
IN-6574
OUT-6474
9601 N 52ND ST
B2-3.42
Google
Map data ©2021 Imagery ©2021 Maxar Technologies

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

COUNTY CLERK & ELECTIONS
Letter

COMMISSION AGENDA REPORT

FROM: **Jacob Kujath, CPA, James Gordon & Associates, CPA, PA**

MEETING: **July 26, 2021**

SUBJECT: **2020 Management Representation letter with James Gordon & Associates, CPA, PA**

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

POSSIBLE MOTION(S)

Move to sign the 2020 Management Representation Letter with James Gordon & Associates, CPA, PA.

Enclosures:

- 2020 Management Rep Letter (PDF)

RILEY COUNTY

CLERK'S OFFICE

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July 26, 2021

James Gordon & Associates CPA, P.A.
Commerce Bank Tower
727 Poyntz Avenue
Manhattan, Kansas 66502

This representation letter is provided in connection with your audit of the financial statement of Riley County, Kansas (the County), which comprises the Statement of Receipts, Expenditures, and Unencumbered Cash – Regulatory Basis as of December 31, 2020 and for the year then ended, and the related notes to the financial statement, for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in conformity with a special purpose framework consistent with the basis of cash receipts and disbursements as adjusted, to show compliance with cash basis and budget laws of the State of Kansas, as regulated by the State in the Kansas Municipal Audit and Accounting Guide (KMAAG), which is a regulatory basis of accounting other than accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of the date of the independent auditor's report, the following representations made to you during your audit.

Financial Statement

1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated August 31, 2020, including our responsibility for the preparation and fair presentation of the financial statement in conformity with KMAAG and for preparation of the required-required supplementary information (RRSI) in accordance with the applicable criteria.

2) The financial statement referred to above are fairly presented in conformity with a special purpose framework consistent with the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of the State of Kansas and include all properly classified funds and other financial information of the primary government required by the KMAAG to be included in the financial reporting entity.

3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of a financial statement that is free from material misstatement, whether due to fraud or error.

4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.

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CLERK'S OFFICE

5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.

6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with the KMAAG.

7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statement or in the schedule of findings and questioned costs.

8) We are in agreement with the adjusting journal entries you have proposed, and they have been posted to the accounts.

9) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with the KMAAG.

10) Guarantees, whether written or oral, under which the County is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

11) We have provided you with:

   a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statement, such as records, documentation, and other matters and all audit or relevant monitoring reports, if any, received from funding sources.
   b) Additional information that you have requested from us for the purpose of the audit.
   c) Unrestricted access to persons within the County from whom you determined it necessary to obtain audit evidence.
   d) Minutes of the meetings of the County or summaries of actions of recent meetings for which minutes have not yet been prepared.

12) All material transactions have been recorded in the accounting records and are reflected in the financial statement and the schedule of expenditures of federal awards.

13) We have disclosed to you the results of our assessment of the risk that the financial statement may be materially misstated as a result of fraud.

14) We have no knowledge of any fraud or suspected fraud that affects the County and involves—

- Management,
- Employees who have significant roles in internal control, or
- Others where the fraud could have a material effect on the financial statements.

15) We have no knowledge of any allegations of fraud or suspected fraud affecting the County's financial statement communicated by employees, former employees, regulators, or others.

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16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing the financial statement.

17) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statement.

18) We have disclosed to you the names of the County's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.

20) We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.

21) The County has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.

22) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.

23) We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that we believe have a material effect on the financial statement or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.

24) We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that we believe have a material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.

25) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.

26) As part of your audit, you assisted with preparation of the financial statement, related notes, RRSI, and schedule of expenditures of federal awards. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statement, related notes, RRSI, and schedule of expenditures of federal awards.

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CLERK'S OFFICE

27) The County has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.

28) The County has complied with all aspects of contractual agreements that would have a material effect on the financial statement in the event of noncompliance.

29) Expenditures have been appropriately classified in or allocated to functions and programs, and allocations have been made on a reasonable basis.

30) Receipts are appropriately classified.

31) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.

32) Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed. Management has chosen to include the financial information for the following special districts in its financial statement:

    - Fire District
    - University Park Water and Sewer District
    - Hunter's Island Water District
    - Moehlman Bottoms Water District
    - Terra Heights Sewer Maintenance District
    - Valleywood Combined Operations District
    - Konza Water District
    - Deep Creek Sewer Fund
    - Mertz/McGehee Drainage
    - Carson Sewer Fund
    - Lakeside Heights Sewer Fund

33) We acknowledge our responsibility for the regulatory-required supplementary information (RRSI). The RRSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RRSI.

34) With respect to the RRSI:

    a) We acknowledge our responsibility for presenting the RRSI in accordance with the KMAAG, and we believe the RRSI, including its form and content, is fairly presented in conformity with a special purpose framework consistent with the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of the State of Kansas. The methods of measurement and presentation of the RRSI have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.

    b) If the RRSI is not presented with the audited financial statement, we will make the audited financial statement readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

35) With respect to federal award programs:

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RILEY COUNTY

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a) We are responsible for understanding and complying with and have complied with, the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), including requirements relating to preparation of the schedule of expenditures of federal awards.

b) We acknowledge our responsibility for preparing and presenting the schedule of expenditures of federal awards (SEFA) and related disclosures in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.

c) If the SEFA is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the SEFA no later than the date we issue the SEFA and the auditor's report thereon.

d) We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and have included in the SEFA, expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.

e) We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.

f) We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.

g) We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.

h) We have received no requests from a federal agency to audit one or more specific programs as a major program.

i) We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the *OMB Compliance Supplement*, relating to federal awards and confirm that there were no amounts questioned and no known noncompliance with the direct and material compliance requirements of federal awards.

j) We have disclosed any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.

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k) We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.

l) Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB's Uniform Guidance (2 CFR part 200, subpart E) [and OMB Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments*, if applicable].

m) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.

n) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.

o) We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.

p) There are no such known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditor's report.

q) No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance, subsequent to the period covered by the auditor's report.

r) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the financial statements have been prepared.

s) The copies of federal program financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.

t) We have charged costs to federal awards in accordance with applicable cost principles.

u) We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.

v) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.

w) We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.

x) We are responsible for taking corrective action on each audit finding of the compliance audit and have developed a corrective action plan that meets the requirements of the Uniform Guidance.

RILEY COUNTY

CLERK'S OFFICE

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y) We have disclosed to you all contracts or other agreements with service organizations, and we have disclosed to you all communications from the service organizations relating to noncompliance at the service organizations.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OF RILEY COUNTY, KANSAS

____
Chairman

____
Member

____
Member

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

Cindy Kabriel
785-565-6200

Board of Riley County Commissioners
Regular Meeting
TENTATIVE Agenda
August 02, 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 **Clancy Holeman, Counselor/Director of Administrative Services**

1. Administrative Work Session

9:20 AM **Bob Isaac, Planner**

2. Public Hearing for a Special Use Authorization - to allow for the construction and operation of a 750-Kw commercial solar farm

9:30 AM **Press Conference**

3. RCPD update - Captain Greg Steere (3-5 minutes)
4. Presentation of Riley County Fire District Volunteer Retirement Plaque to Don Nelson - John Ford (3-5 minutes)
5. USD 383 Primary Election - Rich Vargo (1-2 minutes)

10:00 AM **Russel Stukey, Emergency Management Director**

6. Staff update

10:15 AM **Tami Robison, Budget and Finance Officer**

7. 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.

Board of Riley County Commissioners
Regular Meeting
TENTATIVE Agenda
August 05, 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

Commission Comments

Business Meeting

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM **Gary Rosewicz, Assistant County Engineer**

1. Bid opening for asbestos removal from First Christian Church project

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

2. Staff update

9:30 AM **Greg McHenry, Appraiser**

3. Staff update

9:55 AM **Break**

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

4. Staff update

10:15 AM **Clancy Holeman, Counselor/Director of Administrative Services**

5. Administrative Work Session

10:30 AM **Ron Fehr, Manhattan City Manager**

6. Manhattan City General Update

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.

COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES
Project

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

COMMISSION AGENDA REPORT

FROM: **Jana Chingway, Senior Legal Assistant**

MEETING: **July 26, 2021**

SUBJECT: **Public Hearing - Fairmont Heights Sewer Benefit District**

PRESENTER: **Craig Cox, Deputy County Counselor**

BACKGROUND

The Board of Riley County Commissioners authorized construction of certain sanitary sewer improvements in Fairmont Heights Sewer District consisting of a gravity sewer collection system on May 15, 2017. The construction project has been completed at a cost of $606,511.00. Of that sum, the grant is $287,511.00 with the remaining loan amount of $319,000.00 to be paid by the Fairmont Heights property owners through special assessments. The Board of County Commissioners will conduct a public hearing on July 26, 2021, for the purpose of considering and hearing any and all complaints and objections to an assessment roll and the proposed resolution to adopt the special assessment method and allocation for each Fairmont Heights lot.

DISCUSSION

K.S.A. 19-27a07 authorizes the Board of County Commissioners to assess the costs of the sewer project against the property in the Fairmont Heights Sewer District. The method of assessment will be per owner.

FISCAL IMPACT

Staff time for County Counselor's office, Budget and Finance Officer, County Clerk's office, and Public Works.

RECOMMENDATION(S)

County staff, which includes County Counselor's office, Budget and Finance Officer, County Clerk's office, and Public Works, recommend that the Board approve the equal share per owner method for calculating assessments for the Fairmont Heights Sewer District project.

POSSIBLE MOTION(S)

A. "I move that the Board approve the attached "per owner" assessment method, Resolution No. 072621-___ for calculating assessments for the Fairmont Heights Sewer District rehabilitation project."

B. "I move that the Board approve the following method for calculating assessments for the Fairmont Heights Sewer District rehabilitation project and the appropriate resolution be drafted…"

Enclosures:

- RESOLUTION NO 072621- (DOCX)

RESOLUTION NO. 072621-___

A RESOLUTION LEVYING AND ASSESSING SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF LAND LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY A PORTION OF THE COSTS OF IMPROVEMENTS IN THE FAIRMONT HEIGHTS SEWER BENEFIT DISTRICT IN RILEY COUNTY, KANSAS, AS AUTHORIZED BY RESOLUTION NO. 051517-24 OF THE COUNTY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the Board of County Commissioners of Riley County, Kansas has authorized construction of certain sanitary sewer improvements in Fairmont Heights Sewer Benefit District, consisting of a gravity sewer collection system (the "Improvements") all as provided in Resolution No. 051517-24 as amended by Resolution No. 090120-43 of the County (the "Authorizing Resolution"); and

WHEREAS, the construction of the Improvements is complete and the final costs of the Improvements have been determined and it is now necessary to provide for the levy of special assessments upon property in Fairmont Heights Sewer Benefit District (the "District") all as provided by K.S.A. 19-27a01 *et seq.* (the "Act");

THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RILEY COUNTY, KANSAS:

SECTION 1. The total costs of the Improvements authorized by the Authorizing Resolution is $606,511.00. A portion of the total costs of the Improvements will be paid from proceeds of a USDA Rural Development Grant and from other available funds of the County, leaving costs of $319,000 to be paid from special assessments levied in the District.

SECTION 2. The method of assessing the costs of the Improvements to benefitted property in the District is per owner with equal shares of such costs to be paid by each benefitted property in the District.

SECTION 3. Special assessments to pay the costs of such Improvements are levied and assessed against the lots, pieces and parcels of land as described in *Exhibit A* to this Resolution, which is incorporated by this reference, and in the amounts set forth on *Exhibit A* following the description of each lot, piece or parcel of land.

SECTION 4. The amounts so levied and assessed shall be due and payable from and after the date of publication of this Resolution; and the County Clerk shall notify the owners of the affected properties of the amounts of their assessments, that unless the assessments are paid within fifteen (15) days from the date of publication of this Resolution, bonds will be issued therefor and such assessments will be levied concurrently with general taxes and be payable in forty (40) annual installments.

SECTION 5. The County Clerk shall levy, in the same manner and at the same time as other taxes are certified, for a period of forty (40) years, all of the assessments which have not been paid within fifteen (15) days after the publication of this Resolution, together with interest on such amount thereof at a rate not exceeding the maximum rate as prescribed by the laws of the State of Kansas; and such amounts shall be placed on the tax rolls and collected as other taxes are collected, the levy for each year being a portion of the principal amount of the assessment plus one (1) year's interest on the amount remaining unpaid.

SECTION 6. This Resolution shall take effect and be in force from and after its publication once in the official county newspaper.

ADOPTED by the Board of County Commissioners of Riley County, Kansas, on ___________, 2021.

BOARD OF COUNTY COMMISSIONERS
OF RILEY COUNTY, KANSAS

____
John Ford, Chairman

____
Greg McKinley, Vice-Chair

____
Kathryn G. Focke, Member

ATTEST:

________________________________ (SEAL)
Rich Vargo
Riley County Clerk

Owner 1	Owner 2	Trust	Property Address	Assessment Amount
Ortega, Sabra, n/k/a Amend			817 Rannells Rd	$12,269.23
Clark, Brenda			713 Deibler Pl	$12,269.23
Colbert, E. Vaughn, Roxanne Pelfrey and Deanna Anderson			631 Rannells Rd	$12,269.23
Cragg, John	Cragg, Linda		7 Messenger Rd	$12,269.23
Dodd, Richard	Dodd, Yvonne	Trustee of the Richard and Yvonne Dodd Trust	801 Rannells Rd	$12,269.23
Dorsett, Tamara	Dorsett, William		0000 Zeandale Rd	$12,269.23
Dorsett, Tamara	Dorsett, William		40 Zeandale Rd 800 Rannells Rd, Apt. A & B	$12,269.23
Duke, Brian			721 Deibler Pl	$12,269.23
Flanigan, Patrick	Flanigan, Meghan		701 Deibler Pl	$12,269.23
Flores, Enrique	Flores, Barbra		809 Rannells Rd	$12,269.23
Hamilton, Scott T.	Sabrena A. Stalnaker		60 Zeandale Rd	$12,269.23
McCulloch, Eve S.			721 Rannells Rd	$12,269.23
Henderson, David	Henderson, Tressa		729 Deibler Pl	$12,269.23
Hilgenkamp , Paul	Hilgenkamp, Christi	Trustee of the Hilgenkamp Family Trust	722 Deibler Pl	$12,269.23
Kreiser, Deborah			727 Rannells Rd	$12,269.23
Lombardi, Vincent	Lombardi, Amy		615 Rannells Rd	$12,269.23
McClatchey, Merrill	McClatchey, Connie		743 Deibler Pl	$12,269.23
Nelson, Dorothy			510 Deibler Pl	$12,269.23
Schirer, Daniel			717 & 719 Deibler Pl	$12,269.23
Schnittker, Martin	Schnittker, June		706 Rannells Rd	$12,269.23
Shelton Trust, Donald	Mary Shelton	Trustee of the Donald R. Shelton Trust	8 Messenger Rd	$12,269.23
Smith, Terry	Smith, Debra		11 Messenger Rd	$12,269.23
Tessendorf, D.D. (deceased)	Tessendorf, C.R.	Trustee of the Donald D. and Carolyn R. Tessendorf Trust	000 Zeandale Rd	$12,269.23
Tessendorf, D.D. (deceased)	Tessendorf, C.R.	Trustee of the Donald D. and Carolyn R. Tessendorf Trust	722 Rannells Rd	$12,269.23
Tessendorf, Steven			728 Rannells Rd	$12,269.23
Trudo, Ronald	Trudo, Rhonda		Rannells Rd	$12,269.23
Trudo, Ronald	Trudo, Rhonda		711 Rannells Rd	$12,269.23
Weiser, Randall	Weiser, Adena		160 Zeandale	$12,269.23
Wright, Kelly	Wright, Tonya		725 Deibler Pl	$12,269.23
		EXHIBIT A		

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

COUNTY CLERK & ELECTIONS
Funding

MEMORANDUM

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

MEETING: **July 26, 2021**

SUBJECT: **Fairmont Heights Project**

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

Memo attached

Enclosures:

- COMMISSION AGENDA REPORT fairmont heights project 07262021 (PDF)

COMMISSION AGENDA REPORT

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

MEETING: **7/26/2021**

SUBJECT: **Fairmont Heights Sewer project**

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. Previously it was requested and approved to fund additional costs of $85,000 with ARPA funding. During the review of the project, it was noted Manhattan Township provided funds totaling $12,500 for overlay costs necessary due to the construction. The overlay has not been completed at this time, but is scheduled to take place in 2022. Public Works requested these funds be returned to the Township. Once the overlay is complete, Public Works will bill Manhattan Township for their share of costs.

DISCUSSION

The calculations of the project included the township revenue as a source for the project costs. Because it is designated for a specific purpose that was not included in the original calculation of costs, an additional $12,500 is necessary to close out the project.

Two options are available for this funding:

1. ARPA funding
2. Direct Assessment of costs to be paid back to the general fund

FISCAL IMPACT

ARPA funding would have no impact on County taxes or funds.
Direct Assessment would add to the benefit district land owner’s total assessment.

RECOMMENDATION(S)

The recommendation is to use ARPA funding towards this cost.

POSSIBLE MOTION(S)

1. Move to approve ARPA funding for these costs.
2. Move to approve assessing these funds to the benefit district land owners to be paid back to the general fund.

COUNTY COUNSELOR/ADMINISTRATIVE SERVICES
Staff Update

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

COMMISSION AGENDA REPORT

FROM: **Jana Chingway, Senior Legal Assistant**

MEETING: **July 26, 2021**

SUBJECT: **Pending County Projects County Counselor**

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

Enclosures:
- Final Commission List 07.26.2021 (DOC)

PENDING COUNTY PROJECTS ▪ July 26, 2021
Submitted by Clancy Holeman, Riley County Counselor
Changes from previous meetings are shown in italics.

NOTE: The below is not intended to be a comprehensive list of all "pending" departmental projects underway. Instead, it represents an ongoing snapshot of the current status of selected pending projects which have either consumed significant staff time; involve county issues of widespread significance, or which have been added to this list by the BOCC.

COMMISSION LIST

Matters Reviewed Since Last Project List Submitted:

1. Finalize draft of Fairmont Heights Sewer Benefit District Service Agreement and provide to City of Manhattan staff for review. Receive returned Agreement from City. Solicit and receive input from staff working group. Schedule county working group meeting for Friday, July 6, 2018.

2. Relay potential claim information to liability insurer.

3. Email and phone exchange with outside consulting engineer to finalize Engineering Agreement with Riley County for Fairmont Heights Sewer Benefit District; Draft CAR for final version and arrange for consulting engineer to provide originals for signature by BOCC July 5th.

4. Respond to working group inquiry about potential signage on private road. Review staff working group responses on same issue.

5. Update draft indemnity agreement for 2018 County Fair and transmit to Extension Director for review and further update. Communicate with Extension Director, then insurance company representative, for revision of certificate of insurance to provide coverage on appropriate dates. Provide agreement to Extension for circulation and signatures.

6. "Dark Store" Commercial Real Property Appraisal Theory: A local working group composed of two members of our state legislative delegation and staff from Riley County, the City of Manhattan and Pottawatomie County is scheduled to meet initially July 11, 2018. The goal is to develop legislation to address this "hypothetical" appraisal theory which, on commercial properties, represents potentially huge reductions in the property tax base for local governmental entities, a resulting shift of that tax liability to residential properties, along with local government exposure to refunds with interest from the counties' general funds.

Staff and Departmental Meetings Attended Since Last Project List Submitted:

1. Discussion of Health Department electronic medical records and potential transition to vendor selected by consortium of regional health departments. Initial conversation on multiple issues. Staff discussion scheduled for Friday, July 6th, 2018.

2. Review Agenda items for BOCC public meeting of July 5, 2018.

3. Public Works--Carson Mobile Home Park Sewer Benefit District—sewer system improvement KDHE loan application. Met with Public Works and Budget and Finance on April 26, 2018. Conference call made to KDHE. I will provide draft of revised KDHE form contract and cover letter to Public Works week of May 7, 2018. Public Works submitted on May 10, 2018 its proposed changes to the KDHE form contract.

4. Emergency Management—Fort Riley meeting on development of tower site lease agreement held April 25, 2018. Fort will develop memorandum for Bank confirming the Fort supports this project "in principle." All other details will remain to be worked out. Our joint theory is this memo will help financing institution go forward with closing on the loan for the entire project, even if the tower lease

with Fort Riley cannot be executed before that closing—because of the need for Corps. of Engineers' development of a lease agreement for the use of Fort Riley's radio tower site. Significant time expended during week of May 7, 2018 in order to finalize concepts for our tower lease agreements, including 1½ hour telephone conference May 9, 2018, with bond counsel, lawyer for financing institution and Fire Chief. Final proposed tower lease agreements were distributed.

Valleywood ROW Obstructions: Letter mailed giving the party placing obstructions in the township road ROW 15 days to remove or it will be removed by County Engineer, pursuant to statute. Deadline for removal of obstructions close of business, May 3, 2018.

Firing Range: Response due from landowner by May 10, 2018. Contacted by different counsel for landowner. Toured range with counsel for land owner.

Countywide Emergency Radio Communications System Upgrade: Established contact with federal legislative delegation members—requesting information on any available federal funding to help defray portion of total project cost—since NBAF labs and associated facilities will benefit from interoperability of improved emergency radio communications ability.

BOCC v. Archer: On April 4, 2018 District Court denied Archer's motion to sanction me for alleged misconduct, at the close of his evidence over two days. The District did so when we made a motion for judgment as a matter of law, based upon our theory we had no reason to provide evidence, given the nature of Defendant's evidence. We have provided a Supreme Court Rule 170 demand that Defendant's counsel sign our journal entry or it will be submitted to the Court for consideration. Defendant's Supreme Court Rule deadline to provide us with any objections to that journal entry was close of business, Thursday, April 26, 2018. When no response was received by opposing counsel, our journal entry was submitted to the Court pursuant to the foregoing Supreme Court Rule, un-signed by Defendant's counsel. It was approved and signed by the Judge. That final journal entry has now been filed in the case.

Household Hazardous Waste: I provided the BOCC for signature Monday, December 12th the resolution necessary to add Marion County as a member of the Regional HHW Program. The Board signed that document. Director Dennis Peterson will offer that resolution as a template to the other 10 current members of the Program. Each one of them is required to pass a similar resolution in order to allow Marion County membership. Once all those resolutions are passed, the most recent version of the underlying interlocal agreement must be submitted to the Attorney General for review and approval. I've discussed with Dennis the fact that we will need to have each signing county provide proof of their resolution adoption and publication before submitting the interlocal agreement to the Attorney General. That office no longer has copies in its files of the original interlocal agreement this current agreement amends. That's because they were disposed of according to the Attorney General's record retention schedule. Weeks of April 3, 10, 2017: Drafting cover letter to A.G. to accompany documents from various counties showing interlocal ready for approval. I anticipate completing this cover letter and transmitting the agreements for review in July, 2018.

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

COUNTY CLERK & ELECTIONS
Audit

MEMORANDUM

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

MEETING: **July 26, 2021**

SUBJECT: **2020 Riley County Financial Statement Audit**

PRESENTER: **Jacob Kujath, CPA, James Gordon & Associates, CPA, PA**

Jacob Kujath, CPA of James Gordon and Associates, CPA, PA, will present a brief overview of the 2021 Audit.

Enclosures:

EMS
Personnel

David Adams
EMS/Ambulance
Director
2011 Claflin Rd
Manhattan, KS 66502
Phone: 785-539-3535

COMMISSION AGENDA REPORT

FROM: **David Adams, EMS/Ambulance Director**

MEETING: **July 26, 2021**

SUBJECT: **Request to Fill Open Position**

PRESENTER: **Josh Gering, EMS/Ambulance Assistant Director**

BACKGROUND

This request is to fill the vacant Paramedic position caused by the recent resignation from full time service of an EMS staff member. This staff member has asked to stay with the department in a PRN role and has been approved by the Director.

DISCUSSION

This is a full time Paramedic position that we are wanting to reclassify as a full time EMT/AEMT position and as we have an extra Paramedic already on staff due to a promotion earlier this year. Filling this position allows to maintain a full roster of staff as outlined in our budget.

EMS will solicit current PRN staff for interest in moving into a full time role with the department. We believe that there will be interest from the PRN staff which means that this will be an internal hire and the employee will be moving from PRN to full time.

FISCAL IMPACT

There will be no negative impact in our budget as this full time position is already budgeted. Failure to fill this position will result in increased overtime costs in order to have the position staffed on the scheduled days when PRN staff are not available.

RECOMMENDATION(S)

Reclassify this Paramedic position to an EMT or AEMT position and recommend that it be filled.

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:

- EMT AEMT (gold sheet) (PDF)

RILEY COUNTY POSITION ACTION FORM

Department EMS/Ambulance Date 7/3/2021 Job Title EMT/AEMT

☒ Full Time ☐ Part Time	☒ Regular ☐ As Needed	☐ Seasonal ☐ Intern	☐ Grant Funded ☐ Temporary	Pay Grade EMT/ AEMT Hours per ☒ Week ☐ Month	Start Date ASAP End Date
☒ 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: Caitlin Burenheide	2. Effective date of promotion, transfer, termination, or change: 7/24/201	1. Are there current budgeted funds available to pay for this position? ☐ Yes ☐ No ☐ Grant Funded	2. Requested hours per year:
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: Changing position from Paramedic to EMT or AEMT	5. If applicable, what is the ending date for the position?:	6. Any special conditions regarding this positio

1. Why is it necessary to fill this position or change its status? Resignation of incumbent
2. Is it possible to fill this position internally? If no, why not? Yes if qualified

For hiring purposes, briefly state necessary and/or desirable education, training, and/or certification required as well as desirable experience and/or skills:
HS degree or equivalent. KS certified KSBEMS as EMT required upon DOH. ACLA & BLS provider credentialed from AHA obtained within 45 days of hire date

Additional comments:

Approval by:		Date:
Department Head:	David A Adams	7-19-21
Personnel:	[signature]	7-22-21
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