



**Board of Riley County
Commissioners
Regular Meeting
Agenda
August 19, 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. Sign a Tax Roll Correction
4. Out of State Travel Request Public Works
5. Sign Riley County Personnel Action Form(s)

Review Minutes

6. Board of Riley County Commissioners - Regular Meeting - Aug 16, 2021 8:30 AM

Review Tentative Agenda

7. Tentative Agenda

Press Conference Topics

8. Discuss Press Conference

9:00 AM

Bob Isaac, Planner

9. Public Hearing to replat Lots 13-14 & 78-80 of Blue River Hills No. 1 into two (2) lots.

9:15 AM

Elizabeth Ward, Human Resource Manager

10. State Employee Health Plan Contract Renewal
11. Personnel Policy Incentive Program for COVID-19 Vaccination

9:30 AM

Clancy Holeman, Counselor/Director of Administrative Services

12. Administrative Work Session

- 9:50 AM** **Bob Isaac, Planner**
13. Public Hearing to replat Lot 1 of Tegtmeier Addition and an unplatted tract into one (1) lot.
- 10:00 AM** **Gary Fike, County Extension Director**
14. Extension Staff Update on Riley County Fair
- 10:15 AM** **Dennis Butler, RCPD Director**
15. RCPD update
- 10:30 AM** **Greg Vahrenberg, Raymond James & Associates**
16. Refunding Bond Resolution
- 10:50 AM** **Alice Massimi, PIO**
17. Archive Social

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 CLERK & ELECTIONS
Tax Roll Correction

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

COMMISSION AGENDA REPORT

FROM: Lori Muir, Real Estate Specialist

MEETING: August 19, 2021

SUBJECT: Sign a Tax Roll Correction

PRESENTER: Rich Vargo, County Clerk

POSSIBLE MOTION(S)

Move to approve the Tax Roll Correction.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- image17523 (PDF)

TAX ROLL CORRECTION
REAL ESTATE

Printed by LMUIR

2021/08/17

3.a

Taxpayer ID SCHW0087
Owner ID SCHW0087

Control # 2021000290

Tax Year 2017
Tract # SH20213

SCHWERDT, SHAWN

CAMA # 111-12-0-10-02-015-00-0-01

UNIVERSITY PARK
LOTS 205, 206 & 207

7000 REDBUD DR

TU 77 Sherman Township

Parcel 1500

MANHATTAN, KS 66503-9124

USD 384

Property Address 7000 REDBUD DR

APPRAISER SECTION (Value)				2021/08/17 LMUIR		APPROVED		
Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
RR	1420	93940	95360	RR	1420	87540	88960	6400-
Total	1420	93940	95360	Total	1420	87540	88960	6400-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
RR	163	10803	10966	RR	163	10067	10230	736-
Total	163	10803	10966	Total	163	10067	10230	736-
SB41	2300			SB41	2300			

CLERK SECTION (Tax)				2021/08/17 LMUIR	ORDER PRINTED	
Tax Prior to Correction:			Tax After Correction:		Net Change	
Levy 121.71700	Gen Tax	1334.76	Levy 121.71700	Gen Tax	1245.16	89.60-
	SB41 \$	46.00		SB41 \$	46.00	
SB41 Tax Dollars		<u>1288.76</u>	SB41 Tax Dollars		<u>1199.16</u>	<u>89.60-</u>

TREASURER SECTION (Summary)				Type of Correction DECREASE	
Net Change in Assessed Value				Correction Code TP TAX PROTEST	
(no SB41 influence)				Tax Statement # 26899	
Applicable Mill Levy				Comments PUP adjustment per Appraiser	
Net Change in Levied Tax Dollars					
Net Change in SB41 Exemption					
Net Change in Total Tax Dollars				Owner SCHW0087	
				SCHWERDT, SHAWN	

By order of the Board of County Commissioners of RILEY COUNTY, Kansas. (Date)

Approved by Commission:

Attest by County Clerk:

Attachment: image17523 (11063 : Tax Roll Corrections)



PUBLIC WORKS
Travel Request

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

COMMISSION AGENDA REPORT

FROM: Mary Graham, Admin Asst II
MEETING: August 19, 2021
SUBJECT: Out of State Travel Request Public Works
PRESENTER: John Ellermann, Director/County Engineer

POSSIBLE MOTION(S)

Move to approve out of state travel request for David G Willis to attend the 2021 International GIE+EXPO and Equipment Show in Louisville, KY October 20th - 22nd.

Move to deny

Move to modify

Enclosures:

- GIE+EXPO 2021 Lexington, KY David Willis Form (PDF)
- GIE+EXPO 2021 Lexington, KY David Willis Memo (PDF)

RILEY COUNTY OUT OF STATE TRAVEL REQUEST/AUTHORIZATION

NAME: David Willis DEPARTMENT: Public Works

POSITION TITLE: Parks Manager DATE REQUESTED 8/16/21

FUND: Road and Bridge

Travel From: Manhattan, KS Date: 10/20/21

Travel To: Louisville, KY Date: 10/22/21

Purpose of Travel: **To attend the 2021 International GIE+EXPO in Louisville, KY**

Mode of Travel: Common Carrier ☐ Riley County Vehicle ☐ Privately Owned Vehicle ☒

☐ Administratively determined to be to the advantage of Riley County

☒ Not to exceed the cost of common carrier including food and lodging
Mileage rate of

ESTIMATED COST:

Type of Expense	Description	Amount
Transportation	POV 1252 miles x .56 per mile = \$701.12 not to exceed cost of airline ticket of 430.00	430.00
Lodging	3 nights @ \$195.00	585.00
Meals	3 days	189.00
Registration/Fees	Early Bird Registration	20.00
Other		

Total Estimated Travel Costs: \$1224.00

Requested by: David G. Willis Date: 8/17/21

Approved by:

Department Head: _____ Date: _____

Chairman: _____ Date: _____

Board of County Commissioners

Attest: _____ Date: _____

Riley County Clerk

cc: Department Head
Department Assistant



MEMORANDUM

DATE: August 16, 2021
FROM: John Ellermann
TO: BOCC
RE: Out-of-State Travel Request

I would like for David Willis to attend the 2021 International GIE+EXPO and equipment show in Louisville, KY.

Benefits to Riley County - By attending this educational conference David will gain valuable knowledge to help manage park operations more efficiently and effectively. This conference should provide him with innovative ideas to save tax payer dollars while improving quality.

As the premier industry exposition GIE+EXPO provides a showcase featuring the latest in equipment, services, product design, and technological advances. New features highlight drones, robotics, UTVs and more.

GIE+EXPO expects to host over 1,000 exhibitors, with a 20-acre demo and test driving area. The latest equipment, materials, product design, services and technology will be available for viewing.

Some of the educational workshops David will have the opportunity to attend include:

How to Build a Recruiting Machine That Works
Retaining Employees Through Company Culture



COUNTY CLERK & ELECTIONS
Personnel

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

COMMISSION AGENDA REPORT

FROM: Elizabeth Ward, Human Resource Manager

MEETING: August 19, 2021

SUBJECT: Sign Riley County Personnel Action Form(s)

PRESENTER: Elizabeth Ward, Human Resource Manager

Enclosures:

- 2021-08 H Bellman - PW Operator II (green) (PDF)
- 2021-08 A Massimi - PIO (green) (PDF)
- 2021-08 B Volkel - Shop Super (green) (PDF)
- 2021-08 K Morris - Contact Tracer (green) (PDF)

RILEY COUNTY PERSONNEL ACTION FORM

☐ Add	Fill Request Date: 08/12/2021 Employee #
☒ Change	

☐ New Hire	☐ Rehire	☐ Transfer	☐ Promotion	☒ Separation from
☐ Step Change	☐ Status Change	☐ Demotion	☐ Other	County Service

☒ Full Time	☐ Regular	☐ As-Needed	☐ Seasonal
☐ Part Time	☐ Grant Funded	☐ Intern	☐ Temporary

Bellman	Harry		
---------	-------	--	--

Name: Last First Middle Home Phone

--	--	--	--

Address: Street City State Zip

Public Works Operator II	Public Works/Solid Waste Division	150-150
--------------------------	-----------------------------------	---------

Position Title Department Fund

09/17/2021	☐	☒		☒ Yes	☐ No
------------	--------------------------	-------------------------------------	--	---	-----------------------------

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

I	16	\$27.35	☒ Hour	\$	☐ Bi-weekly	☒ 40	☐
---	----	---------	--	----	------------------------------------	--	--------------------------

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department: John Ellman Date: 8-12-2021

Personnel: E. J. Alvar 8/14/21

BOCC

Chairman: _____

Member: _____

Member: _____

RILEY COUNTY PERSONNEL ACTION FORM

☐ Add		Fill Request Date	08/16/2021
☒ Change		Employee #	

☐ New Hire	☐ Rehire	☐ Transfer	☐ Promotion	☒ Separation from
☐ Step Change	☐ Status Change	☐ Demotion	☐ Other	County Service

☒ Full Time	☐ Regular	☐ As-Needed	☐ Seasonal
☐ Part Time	☐ Grant Funded	☐ Intern	☐ Temporary

Massimi-Crouch	Alice		
Name: Last	First	Middle	Home Phone

Address: Street	City	State	Zip

Public Information Officer	County Clerk	040-0349
Position Title	Department	Fund

8/27/2021	☒	☐	NA	☐ Yes	☒ No
Effective Date	Exempt	Non-Exempt	Ending Date For Temporary	Is this a budgeted position?	

S	05	\$	☐ Hour	\$2577.	☒ Bi-weekly	☒ 40	☐
Grade/Step		Pay Rate				Hours Per Workweek	

Comments:

Approvals:
Department:

Date: 8-16-21

Personnel:

8/16/21

BOCC:

Chairman:

Member:

Member:

RILEY COUNTY PERSONNEL ACTION FORM

☐ Add		Fill Request Date: 08/19/2021
☒ Change		Employee #

☐ New Hire	☐ Rehire	☐ Transfer	☐ Promotion	☒ Separation from
☐ Step Change	☐ Status Change	☐ Demotion	☐ Other	County Service

☒ Full Time	☒ Regular	☐ As-Needed	☐ Seasonal
☐ Part Time	☐ Grant Funded	☐ Intern	☐ Temporary

Volkel	Bret		
--------	------	--	--

Name: Last First Middle Home Phone

--	--	--	--

Address: Street City State Zip

Shop Supervisor		
-----------------	--	--

Position Title Department Fund

10/29/2021	☐	☒		☒ Yes	☐ No
------------	--------------------------	-------------------------------------	--	---	-----------------------------

Effective Date Exempt Non-Exempt Ending Date For Temporary Is this a budgeted position?

Q	13	\$36.97	☒ Hour	\$	☐ Bi-weekly	☒ 40	☐
---	----	---------	--	----	------------------------------------	--	--------------------------

Grade/Step Pay Rate Hours Per Workweek

Approvals:

Department:

Date:

Personnel:

BOCC

Chairman:

Member:

Member:

RILEY COUNTY PERSONNEL ACTION FORM

☐ Add		Fill Request Date 08/16/2021
☒ Change		Employee #

☐ New Hire	☐ Rehire	☐ Transfer	☐ Promotion	☒ Separation from
☐ Step Change	☐ Status Change	☐ Demotion	☐ Other	County Service

☐ Full Time	☐ Regular	☐ As-Needed	☐ Seasonal
☐ Part Time	☐ Grant Funded	☐ Intern	☒ Temporary

Morris	Katelyn		
Name: Last	First	Middle	Home Phone

Address: Street	City	State	Zip

COVID-19 Contact Tracer	Health Department	040-0337
Position Title	Department	Fund

8/27/2021	☐ Exempt	☒ Non-Exempt	12/31/2021	☐ Yes	☒ No
Effective Date			Ending Date For Temporary	Is this a budgeted position?	

B	09	\$15.80	☒ Hour	\$	☐ Bi-weekly	☒ 40	☐
Grade/Step	Pay Rate		Hours Per Workweek				

Comments:

Approvals:

Department:

Date:

Personnel:

BOCC:

Chairman:

Member:

Member:



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
August 23, 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

Robbin Cole, Pawnee Mental Health Services Director

1. Pawnee Mental Health Services update

9:15 AM

John Ellermann, Public Works Director

2. Request to fill shop supervisor position

9:20 AM

Carson Kober, CASA

3. CASA's 4th floor space update

9:30 AM

Press Conference

9:50 AM

Clancy Holeman, Counselor/Director of Administrative Services

4. Administrative Work Session

10:10 AM

Clancy Holeman, Counselor/Director of Administrative Services

5. Executive session to discuss confidential legal advice regarding potential litigation issues

12:00 PM

Intergovernmental Luncheon

Attachment: 08-23-21 tentative agenda (10488 : Tentative Agenda)

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 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

Commission Comments

Business Meeting

1. Approve payroll/accounts payables (when completed)

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM

Barry Wilkerson, County Attorney

2. Staff update

9:15 AM

Clancy Holeman, Counselor/Director of Administrative Services

3. Administrative Work Session

9:35 AM

Kevin Howser, IT/GIS Director

4. Staff update

9:50 AM

Shelly Williams, Community Corrections Director

5. Staff update

10:05 AM

Alice Massimi, PIO

6. Update

10:20 AM

Amanda Smeller, Planning/Special Projects Director

7. Public hearing to name a private road from Johnson Road to Johnson Trail

Attachment: 08-26-21 tentative agenda (10488 : Tentative Agenda)

10:35 AM

Clancy Holeman, Counselor/Director of Administrative Services

8. Executive session to discuss confidential legal advice regarding potential litigation issues

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.

Attachment: 08-26-21 tentative agenda (10488 : Tentative Agenda)



PLANNING & DEVELOPMENT
Public Hearing

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

RESOLUTION

FROM: Bob Isaac, Planner

MEETING: August 19, 2021

SUBJECT: Public Hearing to replat Lots 13-14 & 78-80 of Blue River Hills No. 1 into two (2) lots.

PRESENTER: Bob Isaac, Planner

BACKGROUND

See staff report.

DISCUSSION

See staff report.

FISCAL IMPACT

None is anticipated

ALTERNATIVES

- . Approve the measure
- . Deny the measure
- . Modify or develop alternatives if other concerns or factors arise
- . Schedule work session to discuss issue further

RECOMMENDATION(S)

On August 9, 2021, the Riley County Planning Board held a public hearing and approved the request to replat Lots 13-14 & 78-80 of Blue River Hills No. 1 into two (2) lots, to be known as

Blue River Hills Unit 5, as it was determined to meet the requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners acknowledge the approved Final Plat of Blue River Hills Unit 5, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

POSSIBLE MOTION(S)**ACTION NEEDED FOR PLAT:**

A. A. Motion to approve Resolution 081921-___ acknowledging the approved Final Plat of Blue River Hills Unit 5 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

Or

B. Motion to sign Resolution 081921-___ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Blue River Hills Unit 5, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

ATTACHMENT(S):

- Staff report
- Maps
- Excerpt of Planning Board minutes

Enclosures:

- Staff Report BOCC (PDF)
- RCPB Minutes (PDF)
- Resolution (PDF)

Replat

BACKGROUND: The subject property was platted as Lots 13-14 & 78-80 of Blue River Hills No. 1 in July 1961. Each of the property owners involved in the petition wish to eventually build a garage as accessory to their respective residences, requiring each of the property owners to combine their lot with a contiguous undeveloped lot. It is proposed that Lots 78-80 be combined into a single lot, and Lots 13-14 be combined into a single lot, creating a two-lot subdivision development. There is no requirement to rezone the property as part of this request.

DESCRIPTION:

Physical site characteristics: The subject site consists of five (5) platted lots, with Lots 13 and 79 developed with single family residences. With the exception of the abandoned tennis court located on existing Lot 80, the undeveloped lots are heavily wooded.

General character of the area: The general character of the area is very low-density suburban residential.

SUITABILITY OF ZONING:

Zoning History: The subject property was zoned to its current residential zoning designation during the 1974 Countywide Zoning Conversion Process (Pet. #4).

SURROUNDING ZONING/LAND USE		
	ADJACENT ZONING	LAND USE
NORTH	“SF-1” (Single Family Residential)	Residential
SOUTH	“SF-1” (Single Family Residential)	Residential
EAST	“SF-1” (Single Family Residential)	Residential
WEST	“SF-1” (Single Family Residential)	Residential

POTENTIAL IMPACT:

Public Facilities and Services:

Streets and bridges: The subject site has direct access to Sharm Drive, a paved, two-lane local road maintained by the County. There are no new entrances proposed with this request.

Water and sewer: Each of existing lots that are developed are served by Rural Water District #1 and private on-site septic/lateral wastewater systems.

Fire: Riley County Fire District #1 will serve the site. The nearest County Fire Station is the Blue Hills Fire Station (#11), located at 6100 Bobwhite Lane. The subject site is located within five (5) road miles of a fire station.

Effect on public facilities and services: It is not anticipated that the proposed replat will have an adverse impact on public services.

Effect on nearby property: It is not anticipated that the proposed development will have an adverse impact on nearby property or areas determined to be environmentally sensitive.

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: The Environmental Health Specialist has reviewed the request and reported that both ownership parcels involved are in compliance with the Riley County Sanitary Code.

COUNTY ENGINEER: The County Engineer has reviewed the request and reported no issues.

EMERGENCY MANAGEMENT: Deputy Fire Chief John Martens has reviewed the request and reported no issues.

RILEY COUNTY PLANNING BOARD:

On June 14, 2021, the Riley County Planning Board held a public hearing and approved the request to replat Lots 13-14 & 78-80 of Blue River Hills No. 1 into two (2) lots, to be known as Blue River Hills Unit 5, as it was determined to meet the requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners acknowledge the approved Final Plat of Blue River Hills Unit 5, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

ACTION NEEDED FOR PLAT:

A. Motion to approve Resolution 081921-___ acknowledging the approved Final Plat of Blue River Hills Unit 5 and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

Or

B. Motion to sign Resolution 081921-___ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Blue River Hills Unit 5, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- Fire stations map
- Final Plat map

Prepared by: Bob Isaac, Planner
August 11, 2021



VICINITY AND SITE

Rose
Almeda

#21-0060
Replat

Blue River Hills, Unit 5

19-8-7
20-8-7

 1000' Buffer
 Site



VICINITY



SURROUNDING ZONING

Rose
Almeda

#21-0060
Replat

Blue River Hills, Unit 5

19-8-7
20-8-7

 1000' Buffer
 Site

-  AG Agricultural
-  AG-R AG/Residential
-  B-1 Two Family Residential
-  B-2 Multiple Family Residential
-  B-3 Mobile Home Park
-  C-3 General Business
-  C-4 Highway Business
-  D-1 Industrial Park
-  D-2 Light Industrial
-  D-3 Heavy Industrial
-  Fort Riley
-  N-1 Noise Hazard
-  PUD Planned Unit Development
-  SF-1 Single Family Residential
-  SF-2 Single Family Residential
-  SF-3 Single Family Residential
-  SF-4 Single Family Residential
-  SF-5 Single Family Residential
-  U University
-  Special Zoning:
-  Conditional Use
-  Special Use
-  Variance



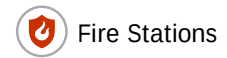
FIRE STATIONS

Rose
Almeda

#21-0060
Replat

Blue River Hills, Unit 5

19-8-7
20-8-7

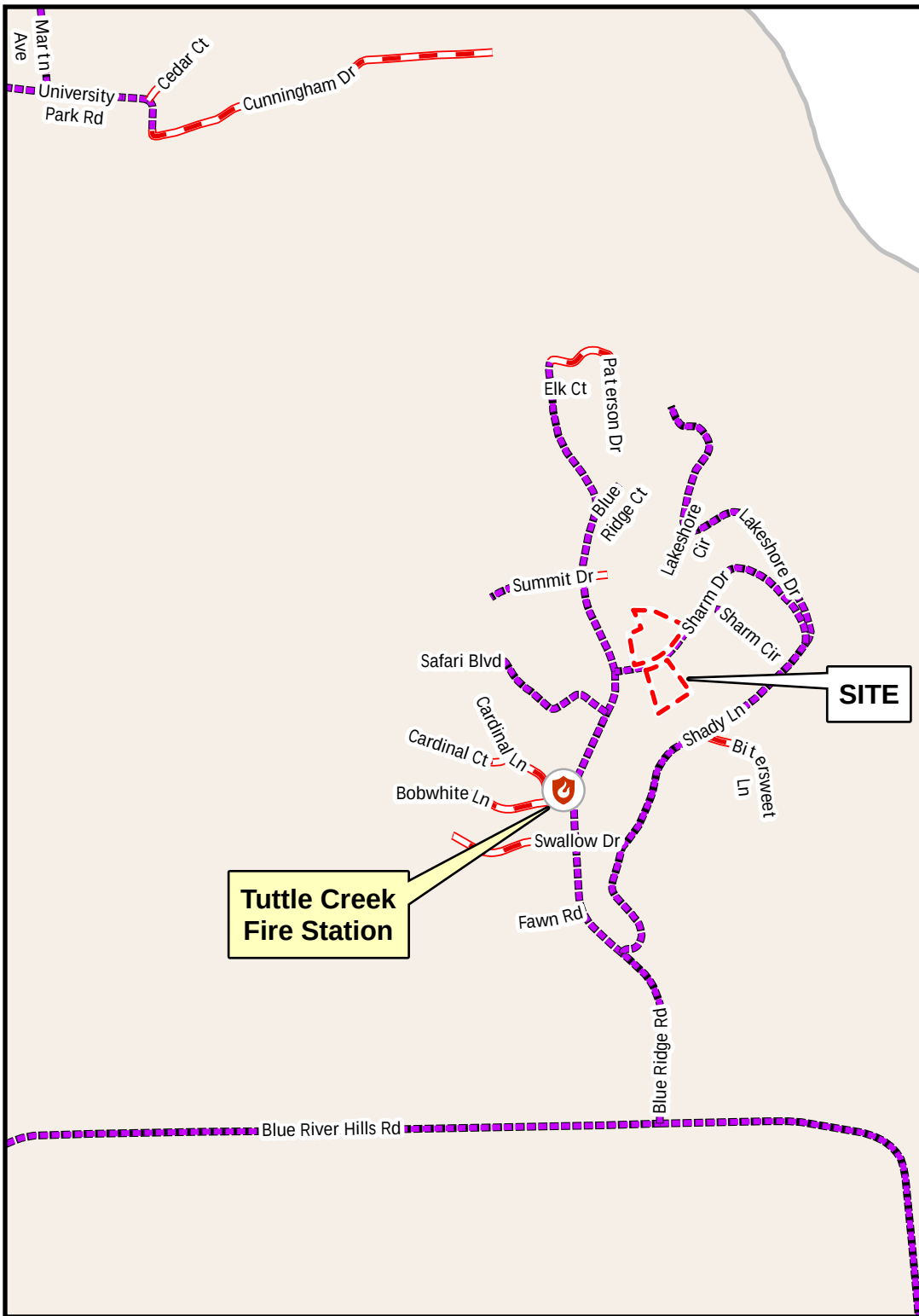


Fire Stations

ISO Rating

-  5 (within 1000' of a hydrant)
-  6 (within 5 road miles of 6 fire station)
- 10 (outside 5 road miles
-  OR road is not paved/ gravel)

Attachment: Staff Report BOCC (11056 : Blue River Hills, Unit 5)



**Tuttle Creek
Fire Station**

SITE

DESCRIPTION:

Lots 13, 14, 78, 79, and 80, Blue River Hills No.1, Riley County, Kansas.

Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at _____, Kansas this _____ day of _____, 2021.

Xavier Almeda
Alisha R Almeda
by Xavier Almeda, Power of Attorney

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

BE IT REMEMBERED, that on this _____ day of _____ A.D. 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came

Xavier Almeda
Alisha R Almeda a/k/a Alisha Rene Almeda by Xavier Ameda, Power of Attorney

personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public
My appointment expires: _____

CERTIFICATE OF THE COUNTY COMMISSION

STATE OF KANSAS)
COUNTY OF RILEY) SS

Approved this _____ day of _____, 2021.
Board of Commissioners, Riley County, Kansas.

Chairperson Commissioner
Commissioner Attest: County Clerk

CERTIFICATE OF THE REGISTER OF DEEDS

STATE OF KANSAS)
COUNTY OF RILEY) SS

This instrument was filed for record on the _____ day of _____ A.D. 2021, at _____ o'clock __M. and duly recorded in Book _____ on Page _____.

Register of Deeds

Deputy

RILEY COUNTY PLAT REVIEW SURVEYOR SIGNATURE BLOCK

This plat has been reviewed and approved for filing pursuant to and in compliance with K.S.A 58-2005 and with the requirements of Riley County Resolution No.082913-58. No other warranties are extended or implied.

Approved: _____

License Number: _____ Date: _____

OWNER'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at _____, Kansas this _____ day of _____, 2021.

Marc Rose Andrea Rose

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

BE IT REMEMBERED, that on this _____ day of _____ A.D. 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came

Marc Rose and Andrea Rose

personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public
My appointment expires: _____

APPROVAL OF COUNTY OFFICERS

STATE OF KANSAS)
COUNTY OF RILEY) SS

County Engineer

County Counselor

Environmental Health Specialist

RILEY COUNTY PLANNING BOARD CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

Approved this _____ day of _____ A.D. 2021.

Riley County Planning Board.

Chairperson Member

Member Member

Member

SURVEYOR'S CERTIFICATE

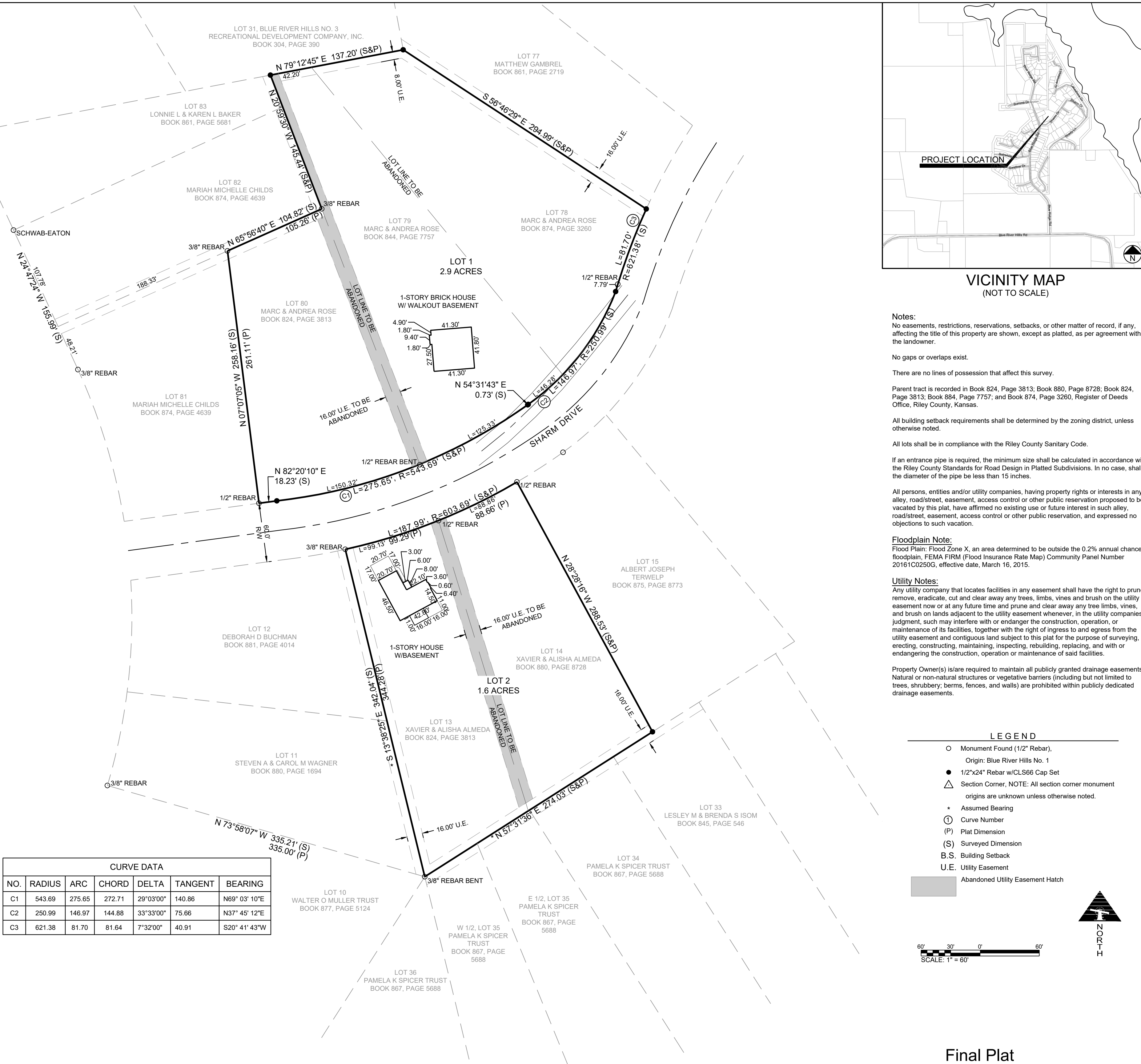
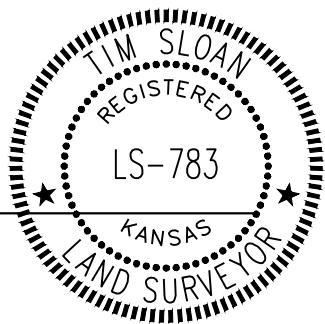
STATE OF KANSAS)
COUNTY OF RILEY) SS

I, the undersigned, do hereby certify that I am a Professional Surveyor in the State of Kansas, with experience and proficiency in land surveying; and that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of Riley County, Kansas, have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Manhattan, Kansas this _____ day of _____, A.D., 2021.

SMH Consultants
By: Tim Sloan

Tim Sloan, P.S.
Vice-President



Final Plat
**BLUE RIVER HILLS,
UNIT 5**
A replat of Lots 13, 14, 78, 79 and 80,
Blue River Hills No 1, an Addition to
Riley County, Kansas

SMH
CONSULTANTS

Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com

Manhattan, KS - HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952
Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By: RNC Project # 2106-0242/0243 TDS # 86

JUNE 2021

Notes:
No easements, restrictions, reservations, setbacks, or other matter of record, if any, affecting the title of this property are shown, except as platted, as per agreement with the landowner.
No gaps or overlaps exist.
There are no lines of possession that affect this survey.

Parent tract is recorded in Book 824, Page 3813; Book 880, Page 8728; Book 824, Page 3813; Book 884, Page 7757; and Book 874, Page 3260, Register of Deeds Office, Riley County, Kansas.

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

All lots shall be in compliance with the Riley County Sanitary Code.

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

All persons, entities and/or utility companies, having property rights or interests in any alley, road/street, easement, access control or other public reservation proposed to be vacated by this plat, have affirmed no existing use or future interest in such alley, road/street, easement, access control or other public reservation, and expressed no objections to such vacaton.

Floodplain Note:
Flood Plain: Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) Community Panel Number 20161C0250G, effective date, March 16, 2015.

Utility Notes:
Any utility company that locates facilities in any easement shall have the right to prune, remove, eradicate, cut and clear away any trees, limbs, vines and brush on the utility easement now or at any future time and prune and clear away any tree limbs, vines, and brush on lands adjacent to the utility easement whenever, in the utility companies judgment, such may interfere with or endanger the construction, operation, or maintenance of its facilities, together with the right of ingress to and egress from the utility easement and contiguous land subject to this plat for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing, and with or endangering the construction, operation or maintenance of said facilities.

Property Owner(s) is/are required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences, and walls) are prohibited within publicly dedicated drainage easements.

- LEGEND
- Monument Found (1/2" Rebar),
Origin: Blue River Hills No. 1
 - 1/2"x24" Rebar w/CL586 Cap Set
 - △ Section Corner, NOTE: All section corner monument
origins are unknown unless otherwise noted.
 - * Assumed Bearing
 - ① Curve Number
 - (P) Plat Dimension
 - (S) Surveyed Dimension
 - B.S. Building Setback
 - U.E. Utility Easement
 - Abandoned Utility Easement Hatch

60' 30' 0' 60'
SCALE: 1" = 60'



EXCERPT OF MINUTES RILEY COUNTY PLANNING BOARD

August 9, 2021

Page 1

Rose/Almeda – Replat

Chairman Taul opened the public hearing at the request of Marc & Andrea Rose and Xavier & Alisah R. Almeda, petitioners and owners, to replat Lot 13-14 and 78-80 of Blue River Hills No. 1 into two (2) lots in Sherman Township, Sections 19 & 20, Township 8 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request, stating Mr. Rose is the property owner of Lots 78 through 80 situated on the north side of Sharm Drive and Mr. Almeda is the property owner of Lots 13 and 14 situated on the south side of Sharm Drive. He said each property owner wants to eventually build an accessory structure. Mr. Isaac stated this will require each property owner to combine their lots into single lots and vacate the utility easement between them.

Mr. Isaac explained the utility easement, shown in gray, is proposed to be vacated with the plat. He said Lot 13 developed with a single family residence and an accessory structure on Lot 14. The accessory structure is not in compliance with the requirements of the zoning regulations because it was placed on a lot that doesn't have a principal structure. He said Mr. Almeda would like to combine the lots to remedy this violation. He explained Mr. Almeda is unable to straddle the property line due to the inability to build over a utility easement.

Staff recommended that the Board approve the request to replat Lots 13-14 & 78-80 of Blue River Hills No. 1 into two (2) lots, to be known as Blue River Hills Unit Five, as it has been determined to meet the minimum requirements of the Riley County Zoning and Subdivision Regulations and Sanitary Code.

Chairman Taul stated he was confused with the lot numbers.

Mr. Isaac explained the lot lines are not visible on the map as it is a "parcel map" that outlines ownership parcels which could include multiple lots. He said that generally ownership parcels have a single PID number and receive one tax statement for all three lots.

Chairman Taul opened the public hearing and asked if the applicant wanted to speak.

Mr. Rose stated the presentation was presented well and didn't have anything else to add.

There were no proponents or opponents.

Nathan Larson moved to close the public hearing. Joe Gelroth seconded. Carried 4-0.

Joe Gelroth moved to approve the request replat of Lots 13-14 and 78-80 of Blue River Hills No. 1 into two (2) lots, for reasons stated in the staff report. John Wienck seconded. Carried 3-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on August 19, 2021, at 9:00 am, in the County Commission Chambers.

Attachment: RCPB Minutes (11056 : Blue River Hills, Unit 5)

RESOLUTION NO. 081921-**A RESOLUTION APPROVING THE BLUE RIVER HILLS, UNIT 5 AND ACCEPTING THE STREET RIGHTS OF WAY, EASEMENTS AND LICENSES AS SHOWN TO BE DEDICATED ON SAID PLAT**

WHEREAS, the Board of Commissioners of Riley County, Kansas, has been presented for approval of the Blue River Hills, Unit 5; and

WHEREAS, the Board finds that all legal requirements have been met for approval of said plat; and

WHEREAS, the Riley County Planning & Development Department has reviewed said plat and found it to be in compliance with the Riley County Sanitary Code; and

WHEREAS, the Riley County Planning Board, after appropriate notice, conducted a public hearing on August 9, 2021; and

WHEREAS, the Riley County Planning Board, after making a determination that said plat meets the minimum requirements of the Riley County Subdivision Regulations, approved said plat; and

WHEREAS, all required signatures have been obtained.

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

That the Blue River Hills, Unit 5 plat is hereby approved, and the Board of Commissioners of Riley County, Kansas hereby accepts all street rights of way, easements and licenses, as dedicated thereon.

Adopted this 19th day of August, 2021.

BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS

John Ford, Chair

Greg McKinley, Vice Chair

Kathryn G. Focke, Member

ATTEST:

Rich Vargo, Riley County Clerk

Attachment: Resolution (11056 : Blue River Hills, Unit 5)



COUNTY CLERK & ELECTIONS
Personnel

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

COMMISSION AGENDA REPORT

FROM: Elizabeth Ward, Human Resource Manager

MEETING: August 19, 2021

SUBJECT: State Employee Health Plan Contract Renewal

PRESENTER: Elizabeth Ward

BACKGROUND

Since February 2003, Riley County has been a participant as a non-state group under the State of Kansas Employee Health Program (SEHP).

Since 2003, the County has been able to maintain the same level of funding and follow the State's guidelines of employer premium contribution of 95% employee plan and at least 35% additional towards the dependent plans.

In 2015 the Insurance committee investigated a plan being developed through the Kansas Association of Counties, and rejected the proposal to participate.

In 2017, the Board of County Commissioners decided not to perform a study to evaluate Riley County's utilization of insurance costs and decided to continue with the SEHP plan.

In 2019, the Insurance Committee once again recommended the Commissioners approve continued participation as the plan was deemed to have great value for the employees.

There are currently 129 Non-State employer groups, with roughly 4,300 employee participants on the plan. The State and Non-State employer groups are combined into one large pool of the self-funded medical plans.

DISCUSSION

The Insurance Committee met on Aug 10, 2021 and unanimously agreed to recommend the commissioners sign the contract with Kansas State Employee Health Program extending employee health insurance coverage for another 3-year period.

Starting in 2022, the State stopped offering Plan Q, meaning employees would now have four (4) plans to choose from.

The insurance rates for 2022 have been presented the State of Kansas. For plan year 2022 rates:

- Premium deductions for employee and employee/children will remain the same
- Premium deductions for employee/spouse and employee/family will be reduced by 2%
- Employer medical rate will increase 5%
- Employee dental rates will increase 3%
- Employer dental rates will increase 3%

Our current 3-year contract with the Kansas State Employee Health Program expires on January 1, 2022. The new contract would take effect the same day and expire on December 31, 2024.

FISCAL IMPACT

The County will see an increase of 5% increase for medical and 3% increase for dental to employer rates of premium costs. When the 2022 personnel and benefit budgets were proposed, funding for any possible increases were included.

RECOMMENDATION(S)

The Insurance Committee recommends the Commissioners sign the renewal contract with the Kansas State Employees Health Care Commission (HCC) for January 2021 - December 2024.

POSSIBLE MOTION(S)

Move to approve the renewal contract with the Kansas State Employees Health Care Commission (HCC) for January 2022 - December 2024.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- Riley County - NSE 2022 Contract Renewal (DOCX)
- Non State Rates Plan Year 2022 without Q (PDF)

KANSAS STATE EMPLOYEES HEALTH CARE BENEFITS PROGRAM
NON-STATE PUBLIC EMPLOYER CONTRACT

This contract is entered into by and between the Kansas State Employees Health Care Commission (“Commission” or “HCC”) and **Riley County** (“Non-State Public Employer” or “NSPE”).

ARTICLE I
NATURE OF THE CONTRACT.

K.S.A. 75-6506 permits, and the Commission has created, a Non-State Public Employer health care benefit plan to provide health care benefits within the State’s employee health care benefits program. The intent of this contract is to allow the NSPE to participate in a health benefit risk pool (“Non-State Public Employer Pool”), which is comprised of entities enumerated in K.A.R. 108-1-4 (or K.A.R. 108-1-3 for School District Groups) and amendments thereto, and K.S.A. §75-6506(c) and amendments thereto. The Commission shall have all discretion regarding how the plan, pooling and funding are to be formed and implemented. The plan is self-funded. Should the plan require additional funds from the NSPE, the Commission shall have the authority to reasonably require additional payments from the NSPE to support the pool. The Commission provides administration of the health plan through the State Employee Health Plan staff (“SEHP”).

ARTICLE II
DEFINITIONS.

- A. **Non-State Public Employer** – As defined by the Commission, which includes, but is not limited to the following: Public school districts, community colleges, area vocational technical schools or technical colleges, special districts or other local governmental entities, persons on the payroll of a county, township, city, county extensions, hospitals (city, district, or community), libraries, and community mental health centers as outlined in K.S.A. 75-6506(c) and supporting regulations.
- B. **Eligible Employee** – The eligible covered persons in the plan are those persons who are permanent employees of a participating entity meeting a threshold requirement of working at least 1,000 (630 for educational employer groups) hours per year for part-time employees, or more than 1,560 (1,000 educational employer group) hours per year for full-time employees and their eligible dependents. Further details of eligibility for NSPEs’ employees and their dependents shall be set forth in the NSPE Administration Manual of policies and procedures available from SEHP.
- C. **Eligible Dependent** – A covered participant’s lawful spouse and/or a participant’s child who is under 26 years of age. (Additional conditions apply; see the NSPE Administration Manual)
- D. **Non-State Public Employer Pool** – A defined group of employees who are experience rated.
- E. **Health Plan** – Defined benefits including but not limited to: medical, drugs, vision and dental benefits offered to NSPE groups.

- F. **Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)** – A federal law requiring that most employers sponsoring Group Health Insurance Plans offer employees and their families an opportunity to extend health coverage for a limited period of time.
- G. **COBRA Participants** – A participant who elects a temporary extension of health coverage where such coverage would otherwise end as defined by the COBRA act of 1986.
- H. **Composite Rate** – The employer share of a weighted average of all health plan options offered by the NSPE.
- I. **Employer Contribution Rate** – The amount of the premium paid by the employer on behalf of the employee and/or dependents. The employer's total monthly premium contribution may include Health Savings or Health Reimbursement Account funds if an employee elects a plan that allows for one.
- J. **"Ramp-Up"** – The alternative method for an employer to reach the funding level that is at least equal to the contribution made for State employees and dependents in the State employee health benefits program.
- K. **Full Level of Employee Contribution** – The amount that is the employee portion of the premium, which is consistent with the contribution level required by the Commission.
- L. **Employee Dependent Contribution** – The amount of premium paid by the employee for dependents.
- M. **HealthQuest** - The State of Kansas Health Promotion Program, which is a wellness program administered by the State Employee Health Plan section.
- N. **Pool Stabilization** – An actuarial estimate of premiums required to pay claims and create reserves to pay future claims and manage the health plan.
- O. **Direct Billed and Retirees** – A program to extend health coverage to: 1) retiring participant group employees, 2) totally disabled former participating group employees, and 3) surviving spouses and/or dependents of participating groups eligible under the provisions of K.A.R. 108-1-1, 108-1-3, and 108-1-4, including amendments made thereto) active participating group employees who were covered under the health plan immediately before going on approved leave without pay.
- P. **Premium** – The total cost of the health plan option selected by the employee.

**ARTICLE III
CONTRACT PERIOD.**

- A. A “plan year” is defined as beginning at 12:01 a.m., Central Standard Time, on January 1, through Midnight, December 31.
- B. The Contract Funding/Term Agreement shall be three (3) or five (5) complete plan years, based upon the funding option selected in Article XIII of this contract.
- C. Those NSPEs who choose the “ramp up” option in Article XIII of this contract must maintain enrollment in the health plan for at least three (3) complete plan years from the date of completion of the “ramp up” period.
- D. The NSPE seeking admission to the NSPE Pool during a plan year may do so on a date mutually agreed upon by the parties and at rates equal to those established by the Commission for the plan year in which they enter. The contract term may be longer than the 3 or 5 plan year period due to the effective date of the contract.
- E. The effective date of this contract is **January 1st, 2022** with benefits beginning on **January 1st, 2022**
- F. The NSPE represents and covenants that it shall obtain, maintain and properly budget funds to satisfy its obligations, including if necessary any early termination fees or late payment fees under this contract. Except as otherwise specifically provided by law, funding for this contract shall have priority over any other budgeted expenditures.

**ARTICLE IV
NON-STATE PUBLIC EMPLOYER PARTICIPATION RESPONSIBILITIES.**

Subject to K.S.A. 75-6506(d) and supporting regulations, the NSPE, in order to participate in the health benefit plan, agrees to the following conditions:

- A. At least 70% of the eligible employees of the participating NSPE shall participate in the Non-State Public Employer portion of the health plan;
- B. The plan design and all funding are determined by the Commission and shall not be subject to any contract negotiations;
- C. Employers may not create, maintain or provide incentives for employees not to join the health plan. Covered groups are prohibited from providing cash out options or any other payments or incentives to employees in lieu of coverage in the health plan;
- D. The participating NSPE shall not create, maintain or permit any exemption from participation in the state health care plan for such entity's employees, including but not limited to allowing employees to enroll in any other employer-sponsored benefits that

may compete with the health plan and/or may duplicate benefits offered by the plan at the time the benefits are elected.

- E. The health plan is considered a “core” benefit in a Non-State Public Employer’s cafeteria benefit plan;
- F. NSPEs shall elect one of the following two employer funding/term options and must pay the appropriate premium as set forth by the Commission:
 - 1. Remain in the Plan for a minimum of three plan years; or
 - 2. Remain in the Plan for a minimum of 5 plan years if a “ramp-up” option is selected;
- G. Participate in HealthQuest and related initiatives as set forth and directed by the Commission or SEHP;
- H. NSPEs shall provide staff for enrollment, provide general information and first-level assistance to participants;
- I. Should any of the above requirements not be met at any point in the plan year, the NSPE shall notify the SEHP within 10 business days. The NSPE shall also submit a written plan to the Commission stating how it will comply with the requirement(s) of this section. If the NSPE does not return to compliance within 90 calendar days from the date the NSPE became non-compliant, the Commission will terminate the NSPE from the plan, and the NSPE will be subject to liquidated damages as set forth in Article VIII;
- J. The NSPE also shall:
 - 1. Collect the employer and employee contributions and remit the contributions to the Commission on a monthly basis;
 - 2. Provide the Commission, at mutually agreed upon dates and in a mutually agreed upon format, a list of those retirees and COBRA participants who are currently enrolled, along with their eligible dependents for direct billing;
 - 3. Be primarily responsible for and participate in the enrollment process for its eligible participants;
 - 4. Complete and submit to the health plan section all forms and supporting documentation for employees requesting enrollment changes and terminations in a timely manner (within 31 days of the event);
 - 5. In the case of a 100% contribution election for a three-year employer funding commitment in Article XII, be responsible for an accurate calculation of this 100% funding commitment.
- K. The NSPE shall be subject to all Commission policies, procedures and SEHP administrative requirements as applicable to NSPEs, which may be amended at any time without notice to the NSPE.

ARTICLE V
PREMIUMS AND PAYMENT.

- A. Employer and employee monthly contribution rates are solely determined by the Commission and may be changed with prior notice given to the NSPE. The employer contribution shall be assessed and paid during the State's fiscal year: July 1 – June 30. The employee contribution shall be assessed and paid during the State's plan-year: January 1 – December 31.
- B. Premiums shall be invoiced to the NSPE monthly, on or before the 25th day of each month proceeding the month of coverage (or first business day thereafter). The invoiced amount due shall be based upon known enrollment on the invoice date. The NSPE shall pay the invoiced premium via electronic funds transfer on or before the first day of the month for that month of coverage. The NSPE shall pay a late fee equal to the greater of two and one-half percent (2.5%) of any past due amount of the monthly premium not received by the Commission by the 15th day of the month coverage is in effect or \$100.00.
- C. If the NSPE fails to properly make a premium payment by the 15th day of the month for that month of coverage the Commission reserves the right to terminate this contract without any prior written notice to NSPE.
- D. Any NSPE cancelled for nonpayment of premiums shall be responsible for all paid claims after the last date of paid coverage and an administrative fee of eight percent (8%). The NSPE shall reimburse and remit payment to the Commission within 10 days from date of invoice for all claims paid by the Commission or any other State agency during the period of non-premium payment, plus an administrative fee equal to eight percent (8%) of the total amount of claims paid by the Commission and any legal fees, expenses and costs incurred. This contract shall automatically terminate and NSPE shall also be liable for the liquidated damages as identified in Section VIII, if the NSPE is cancelled for nonpayment of premium.
- E. Claims for services provided after the termination date of this contract shall be the sole responsibility of the NSPE. Pharmacy claims will be billed to the NSPE by the Commission.

ARTICLE VI
POOL STABILIZATION.

- A. From time to time, the Commission may review the number of enrolled participants in the self-insured plan and determine whether to create one or more separate Non-State Public Employer Pools made up of some or all Non-State Public Employers.
- B. Upon creation of a Non-State Public Employer Pool applicable to any Non-State Public Employer, all affected Non-State Public Employers enrolling shall be included in such Pool and pay the Non-State Public Employer Pool rates established by the Commission.

- C. Upon creation of an applicable Non-State Public Employer Pool, at the beginning of the Plan Year after the benchmark number of eligible participants in the self-insured plan is met, all affected Non-State Public Employers shall be included in such Pool and pay Pool rates. After the Non-State Public Employer Pool is created, rates shall be determined by the Commission based upon the experience, plan administration, reserves, and needs of the Pool to be self-sufficient.

ARTICLE VII

COBRA, DIRECT BILL, AND HIPAA REQUIREMENTS.

- A. The Commission shall be responsible for billing and collecting 102% of premiums from participants and other qualified beneficiaries who continue insurance coverage under the Consolidated Omnibus Budget Reconciliation Act of 1986. The Commission shall retain the additional 2% to cover administrative costs. For extended continuation of coverage as required by the Omnibus Budget Reconciliation Act of 1986, and during coverage from the 19th through the 29th month, individuals will be required to pay 150% of the premium required of active participants. In such instances an amount equal to 2% of the normal premium will be retained by the Commission as special administrative expense and the 148% of the normal premium shall be considered as premium payments.
- B. Direct billed and retirees of the NSPE shall be permitted to participate in the program as long as the NSPE is a current participant in the Plan and has participated in the Plan on the day immediately preceding the date of a coverage status change.
- C. The eligibility of any NSE COBRA or Direct Bill/Retiree participants is contingent on the NSE's eligibility. If this contract is terminated for any reason with no subsequent renewal, any COBRA or Direct Bill/Retiree participants will no longer be eligible for State Employee Health Plan coverage.
- D. NSPE shall comply with all the provisions of the Health Insurance Portability and Accountability Act (HIPAA), along with all other HIPAA related procedures as may be specified by the Commission. NSPE shall indemnify and hold harmless the Commission, SEHP and the State of Kansas for any HIPAA violation, as determined by the SEHP.

ARTICLE VIII

TERMINATION.

- A. Notwithstanding any other provisions of this contract to the contrary, the Commission reserves the right to terminate this contract at the end of any plan year by giving 90 days written notice, or as otherwise provided in this contract. The Commission shall have the option, by mutual written agreement of the HCC and NSPE, to renew this Contract in such a manner mutually agreed upon, in writing, by the parties.

- B. Notwithstanding any other provisions of this contract to the contrary, the Commission reserves the right to terminate this contract, without prior notice, if (1) the NSPE fails to make any premium payment at the proper time and in the proper amount; (2) the NSPE commits a material breach relating to one of more of the terms of this contract; and (3) the NSPE becomes, or reasonably appears to be close to becoming, insolvent or bankrupt, or subject to conservatorship, receivership or liquidation.

Due to the nature of the services provided under this contract, both the NSPE and the Commission agree that any withdrawal, noncompliance or termination of this contract, other than pursuant to Subsection A of this Article, will result in unknown damage and cost to the Commission that is difficult to quantify. NSPE and Commission agree the damage and cost is not easily and readily determinable given the nature of a self-funded pool insurance plan. As such, liquidated damages shall be equal to two and one-half percent (2.5%) of the premium the NSPE would have been obligated to pay, based upon enrollment at the beginning of the current plan year, for the remaining term of the contract, except, in no event shall liquidated damages exceed \$250,000.00.

- C. The assessment of liquidated damages in this contract shall not be an exclusive remedy and shall not limit any other remedy at law or equity available to the Commission or State.
- D. In the event the NSPE is a part of a consolidation or disorganization or otherwise attaches to another entity, all obligations of the NSPE under this contract shall continue and shall be enforceable against that portion of the new entity. The original NSPE participants must remain in the Pool, subject to the terms of this contract.
- E. If NSPE does not renew this contract after it's natural expiration there will be a 3-year limitation period before the NSPE can rejoin the State Employee Health Plan.
- F. If the NSPE withdraws or terminates this contract before the natural expiration there will be a 5-year limitation period before the NSPE can rejoin SEHP.
- G. Notwithstanding any other provisions of this Contract, if NSPE terminates this Contract or withdraws from this Contract, NSPE must provide 90 days written notice to the Commission. As stated in Subsection B of this Article, the Commission shall assess liquidated damages against NSPE in the event of any termination or withdrawal by the NSPE.

ARTICLE IX

ENROLLMENT TERMINATIONS.

Failure of the Non-State Public Employer to notify the Commission of the termination of any employee of the Non-State Public Employer within 31 days of the qualifying event shall result in the assessment of an administration fee of \$200.00 per member per month for each month the notice is not received by Commission.

ARTICLE X
NOTICES.

The notice addresses of the parties are as follows:

KANSAS STATE EMPLOYEES HEALTH CARE COMMISSION

ATTN: Non-state Public Employer Coordinator
State Employee Health Benefits Plan
The Mills Building, Suite 600
109 SW 9th St
Topeka, Kansas 66612
Telephone: (785) 368-6361
Fax: (785) 368-7180

NON-STATE PUBLIC EMPLOYER

Name of NSG
Attn:
Title:
Address:
City, Kansas ZIP
Telephone: (000) 000-0000
Fax: (000) 000-0000

Federal Employer Identification Number: _____

ARTICLE XI
CONTRACTUAL AMMENDMENTS

This contract including Kansas contractual provisions and attachment (DA 146), constitutes the entire agreement of the parties hereto. No oral agreements will be effective to alter this contract. This contract can only be amended by written agreement which is signed by the parties.

ARTICLE XII
EMPLOYER FUNDING ELECTION.

Pursuant to the terms of this contract, the NSPE elects the employer funding option and multi-year commitment as checked below:

X THREE YEAR EMPLOYER FUNDING COMMITMENT. (Employer pays full level of employee and dependent contribution – no “Ramp Up”).

Funding commitment guidelines pursuant to Kansas Statute 75-6506.

 FIVE YEAR EMPLOYER FUNDING COMMITMENT.

EMPLOYER CONTRIBUTION and DEPENDENT CONTRIBUTION

<u> </u> Full Employer	<u> </u> Full Dependent
<u> </u> Two Year “Ramp-Up”	<u> </u> Two Year “Ramp-Up”
<u> </u> Three Year “Ramp-Up”	<u> </u> Three Year “Ramp-Up”
	<u> </u> Five Year “Ramp-Up”

ARTICLE XIII **JURISDICTION.**

The parties shall bring any and all legal proceedings arising under this contract in the State of Kansas to the District Court of Shawnee County. The United States District Court for the State of Kansas sitting in Topeka, Shawnee County, Kansas, shall be the venue for any federal action or proceeding arising hereunder in which any Commission entity is a party. The NSPE waives all defenses of lack of personal jurisdiction and forum non conveniens. Process may be served on contractor in the manner authorized by applicable law or court rule. The Eleventh Amendment of the United States Constitution is an inherent and incumbent protection with the State of Kansas and needs not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment.

ARTICLE XIV **VALIDITY AND WAIVER.**

The invalidity in whole or in part of any provision of this contract shall not affect the validity of other provisions. A waiver of a breach of any provision of this contract shall not constitute a waiver of any subsequent breach of that provision or a breach of any other provision of this contract. The failure of the State to enforce at any time or from time to time any provision of this contract shall not be construed as a waiver thereof.

ARTICLE XV
SIGNATURES.

Signatures herein shall serve to bind the parties to this agreement. The parties represent and warrant that they have read and thoroughly understand the terms and conditions and they are represented by counsel and the terms and conditions of this contract have been fully explained to them by counsel.

This contract shall be binding on any person or entity that is a successor of the NSPE.

HEALTH CARE COMMISSION

NON-STATE PUBLIC EMPLOYER

By: _____
 Health Care Commission, Chair

By: _____
 Print: _____
 Title: _____

Date: _____

Date: _____

Non State Employee Rates - Active as of 1/1/2022

Plan Year 2022 Monthly Rates for Non State Employees

Employee Category	Plan A	Plan C	Plan J	Plan N	Dental	Vision	
	Aetna/BCBS	Aetna/BCBS	Aetna/BCBS	Aetna/BCBS	Delta	2022 Basic	2022 Enhanced
Full-Time							
Employee Only	\$82.22	\$70.72	\$111.92	\$49.72	\$13.44	\$2.88	\$5.84
Employee + Spouse	\$478.52	\$262.18	\$326.98	\$180.96	\$32.78	\$5.84	\$10.80
Employee + Children	\$256.56	\$136.68	\$194.56	\$94.16	\$28.92	\$6.32	\$12.70
Employee + Family	\$854.26	\$451.52	\$560.44	\$322.62	\$48.26	\$8.68	\$16.36
Part-Time							
Employee Only	\$247.70	\$110.02	\$139.62	\$74.34	\$24.22	\$5.84	\$7.24
Employee + Spouse	\$745.06	\$340.60	\$383.18	\$231.46	\$48.58	\$10.80	\$14.30
Employee + Children	\$418.84	\$187.72	\$231.86	\$127.90	\$43.70	\$12.70	\$12.90
Employee + Family	\$1,189.82	\$543.04	\$638.96	\$389.04	\$68.20	\$16.36	\$20.00

** Base rate is non discounted

Non State Active Employer Rates - Active as of 1/1/2022

Monthly

Employee Category	Plan A	Plan C	Plan J	Plan N	HSA Plan C	HSA Plan N	2022 Delta Dental Employer	Avesis	
	Employer	Employer	Employer	Employer	Employer Monthly	Employer Monthly		2022 Basic	2022 Enhanced
Full-Time									
Employee Only	\$750.88	\$667.55	\$750.88	\$709.22	\$83.33	\$41.66	\$50.62	\$0.00	\$0.00
Employee + Spouse	\$1,317.98	\$1,213.82	\$1,317.98	\$1,265.90	\$104.16	\$52.08	\$86.20	\$0.00	\$0.00
Employee + Children	\$1,317.98	\$1,172.15	\$1,317.98	\$1,245.07	\$145.83	\$72.91	\$86.20	\$0.00	\$0.00
Employee + Family	\$1,317.98	\$1,213.82	\$1,317.98	\$1,265.90	\$104.16	\$52.08	\$86.20	\$0.00	\$0.00
Part-Time									
Employee Only	\$586.94	\$534.84	\$586.94	\$560.89	\$52.10	\$26.05	\$38.28	\$0.00	\$0.00
Employee + Spouse	\$1,032.70	\$975.40	\$1,032.70	\$1,004.05	\$57.30	\$28.65	\$65.12	\$0.00	\$0.00
Employee + Children	\$1,032.70	\$933.74	\$1,032.70	\$983.22	\$98.96	\$49.48	\$65.12	\$0.00	\$0.00
Employee + Family	\$1,032.70	\$975.40	\$1,032.70	\$1,004.05	\$57.30	\$28.65	\$65.12	\$0.00	\$0.00

Base amount does not include discount

Jan 1 2022 (FY 22)
Employer
Monthly Rate. Included both medical and dental.
\$801.50
\$1,404.18
\$1,404.18
\$1,404.18
\$625.22
\$1,097.82
\$1,097.82
\$1,097.82

Non State Active Employer Rates - Active as of 7/1/2022

Monthly

Employee Category	Plan A	Plan C	Plan J	Plan N	HSA Plan C	HSA Plan N	2022 Delta Dental Employer	Avesis	
	Employer	Employer	Employer	Employer	Employer Monthly	Employer Monthly		2022 Basic	2022 Enhanced
Full-Time									
Employee Only	\$788.42	\$705.09	\$788.42	\$746.76	\$83.33	\$41.66	\$52.30	\$0.00	\$0.00
Employee + Spouse	\$1,383.88	\$1,279.72	\$1,383.88	\$1,331.80	\$104.16	\$52.08	\$89.08	\$0.00	\$0.00
Employee + Children	\$1,383.88	\$1,238.05	\$1,383.88	\$1,310.97	\$145.83	\$72.91	\$89.08	\$0.00	\$0.00
Employee + Family	\$1,383.88	\$1,279.72	\$1,383.88	\$1,331.80	\$104.16	\$52.08	\$89.08	\$0.00	\$0.00
Part-Time									
Employee Only	\$616.28	\$564.18	\$616.28	\$590.23	\$52.10	\$26.05	\$39.56	\$0.00	\$0.00
Employee + Spouse	\$1,084.34	\$1,027.04	\$1,084.34	\$1,055.69	\$57.30	\$28.65	\$67.30	\$0.00	\$0.00
Employee + Children	\$1,084.34	\$985.38	\$1,084.34	\$1,034.86	\$98.96	\$49.48	\$67.30	\$0.00	\$0.00
Employee + Family	\$1,084.34	\$1,027.04	\$1,084.34	\$1,055.69	\$57.30	\$28.65	\$67.30	\$0.00	\$0.00

Base amount does not include discount

July 1 2022 (FY 23)
Employer
Monthly Rate. Included both medical and dental.
\$840.72
\$1,472.96
\$1,472.96
\$1,472.96
\$655.84
\$1,151.64
\$1,151.64
\$1,151.64

*Plans C and N are High Deductible Health Plans (HDHP) with a Health Savings Account (HSA) or Health Reimbursement Account (HRA). Part of the composite rate is split out into separate columns for Plan C and Plan N to cover the cost of the employer contribution into the HSA or HRA. For example, Employee Only Plan C in table 1 is \$667.55 for the insurance and \$83.33 for the HSA. Together, these amounts [\$667.55 + \$83.33] equal \$750.88, the same composite rate as charged for Plan A. The entire composite rate is sent to the SEHP, and the SEHP is responsible for sending the contributions to the HSA or HRA.



COUNTY CLERK & ELECTIONS
Personnel

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

COMMISSION AGENDA REPORT

FROM: Elizabeth Ward, Human Resource Manager

MEETING: August 19, 2021

SUBJECT: Personnel Policy Incentive Program for COVID-19 Vaccination

PRESENTER: Elizabeth Ward

DISCUSSION

On Aug 5th, 2021, the Board of County Commissioners indicated they would be in favor of considering a program for employees to receive an incentive based on full vaccination status. As directed, we are presenting a several options for fully-vaccinated employees to receive an incentive once they have shown proof of full vaccination.

Current and future employees of Riley County would be eligible for this incentive. Human Resources would track eligibility rate, but would not keep a copy of employee vaccination records.

FISCAL IMPACT

Funding for this incentive would come from CARES funding already made available to Riley County.

Option 1) Each Riley County employee, to include As-Needed, PRN-EMS, election workers and Rural Fire, would receive \$100 once full vaccination status is confirmed. The value of this incentive would include the \$100 payment as well as required federal taxes.

- There are 591 employees on payroll at Riley County, including regular full and part time employees, as needed, PRN, Rural Fire and Elections staff.
- Assuming 100% vaccination rate, for purpose of financial calculation, the maximum value of this incentive would be \$68,142.30

Option 2) Regular full and part time employees of Riley County would receive \$100 once full vaccination status is confirmed. This would NOT include As-needed, PRN EMS, Rural Fire or Elections Workers. The value of this incentive would include the \$100 payment as well as required federal taxes.

- There are 284 regular full and part time employees at Riley County.
- Assuming 100% vaccination rate, for purpose of financial calculation, the maximum value of this incentive program would be \$32,745.20.

Option 3) Each benefits eligible employee of Riley County would receive a full scheduled day of annual leave once full vaccination status is confirmed. There would not be an extra cost to be paid for this incentive, but there would be non-productive hours paid.

- There are 284 benefits eligible employees at Riley County, including those receiving part-time prorated benefits and full time benefits. The value of one scheduled day of annual leave, without benefits is \$51,886.00.

These numbers are for current employees. We would like the Commissioners to extend the program to new employees until such point the Commissioners deem the incentive program is no longer needed to protect the Riley County workforce.

- For reference, through the first 7 months of 2021, Riley County has on boarded 66 new employees, 28 of those are benefits eligible new employees. Using that number as our average new hire rate, we can expect another 9 new employees per month, 4 of which would be benefits eligible, through the end of the year. (45 new EE, 20 with benefits)
- Assuming 100% vaccination rate, for purpose of financial calculation, the estimated cost of extending the incentive to new hires through the end of 2021 would be:
 - For \$100 incentive the value would be \$5,188.50.
 - For 1 scheduled day of annual leave, without benefits the value would be \$3,654.00.

RECOMMENDATION(S)

The recommendation is the Commissioners approve a personnel incentive program, as listed above, or another options to encourage employee vaccination for COVID-19.

POSSIBLE MOTION(S)

Move to approve 1 scheduled day of annual leave for all benefits-eligible employees who have confirmed full vaccination for COVID-19.

Move to approve \$100 incentive for all Riley County employees who have confirmed full vaccination for COVID-19.

Move to approve \$100 incentive for regular full and part time Riley County employees who have confirmed full vaccination for COVID-19.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:



PLANNING & DEVELOPMENT
Public Hearing

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

RESOLUTION

FROM: Bob Isaac, Planner

MEETING: August 19, 2021

SUBJECT: Public Hearing to replat Lot 1 of Tegtmeier Addition and an unplatted tract into one (1) lot.

PRESENTER: Bob Isaac, Planner

BACKGROUND

See staff report.

DISCUSSION

See staff report.

FISCAL IMPACT

None is anticipated

ALTERNATIVES

- . Approve the measure
- . Deny the measure
- . Modify or develop alternatives if other concerns or factors arise
- . Schedule work session to discuss issue further

RECOMMENDATION(S)

On August 9, 2021, the Riley County Planning Board held a public hearing and approved the request to replat Lot 1 Tegtmeier Addition and an unplatted tract of land into one (1) lot, to be known as Tegtmeier Addition Unit Two, as it was determined to meet the requirements of the

Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code. The Riley County Planning Board also approved certain amendments to the Final Development Plan associated with the property, to reflect the approved replat.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners acknowledge the approved Final Plat of Tegtmeier Addition Unit Two, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

POSSIBLE MOTION(S)**ACTION NEEDED FOR PLAT:**

A. Motion to approve Resolution 081921-___ acknowledging the approved Final Plat of Tegtmeier Addition Unit Two and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

Or

B. Motion to sign Resolution 081921-___ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Tegtmeier Addition Unit Two, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

ATTACHMENT(S):

- Staff report
- Maps
- Excerpt of Planning Board minutes

Enclosures:

- Staff Report BOCC (PDF)
- RCPB Minutes (PDF)
- Resolution (PDF)



PLANNING & DEVELOPMENT

STAFF REPORT

Replat

PETITION: #21-0061

APPLICANTS: David H. & Danielle B. Tegtmeier
1929 Wildcat Creek Rd
Manhattan, KS 66503-9818

PROPERTY OWNERS: David H. & Danielle B. Tegtmeier
Lawe LLC
1745 Wildcat Creek Rd
Manhattan, KS 66503-9640

LAWE, LLC
1929 Wildcat Creek Rd
Manhattan, KS 66503-9818

TYPE OF REQUEST: Replat Lot 1 of Tegtmeier Addition together with an unplatted tract of land into a single lot and amend the Final Development Plan to reflect the proposed replat.

SIZE OF TRACT: The subject site is approximately 37 acres.

LOCATION: Generally located approximately 9800 feet west of Scenic Drive, on the north side of Wildcat Creek Road; Sections 8 and 17, Township 10 South, Range 7 East; Wildcat Township.

JURISDICTION: This application is subject to the requirements of the Riley County Subdivision Regulations.



BACKGROUND: In September 2014, the applicants successfully platted Lot 1 of Tegtmeier Addition and rezoned the lot and surrounding parent tract from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in order to establish a viniculture operation, with a winery and events center. The applicants developed Lot 1 with a new home, garage and a one-bedroom studio apartment over the garage. For financing purposes, the applicants requested, at the time, to plat the residential portion of the proposed planned unit development into a separate lot (Lot 1 Tegtmeier Addition). Recently, the applicants discovered that a portion of the parent tract surrounding the subject lot, owned by LAWE, LLC, became available for purchase; thus, they wish to take advantage of the situation and add to their existing lot. Staff advised that a replat would be necessary as well as amending the Final Development Plan to reflect the lot configuration of the proposed replat. It is not being proposed to rezone the property as part of this request.

DESCRIPTION:

Physical site characteristics: The subject site is a mix of hills covered with grasslands and heavily-wooded ravines developed with a single family residence. The proposed density of the property is consistent with the rural residential land use category described in Chapter 3 of the Manhattan Urban Area Comprehensive Plan (Table 3.1- Land Use Category Definitions). The site boasts an existing on-site retention pond which serves as post-development stormwater drainage control, as recommended through the Stormwater Drainage Study originally submitted by SMH Consultants.

General character of the area: The character of the area is a mix of low-density suburban and rural, large-lot single family residential development, with open pasture/natural grasslands, situated just west of the city limits of Manhattan. According to the applicant, the site is a perfect blend between sloping topography and soil type to grow grapes.

SUITABILITY OF ZONING:

Zoning History: The subject site was rezoned from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in September 2014. There are no variances, conditional uses or special uses associated with the property.

Current Zoning: The subject property is currently zoned “A-PUD” (Agri-Business Planned Unit Development).

SURROUNDING ZONING/LAND USE		
	ADJACENT ZONING	LAND USE
NORTH	“A-PUD” (Agricultural Planned Unit Development)	Winery/Event Center
SOUTH	“AG” (Agricultural District)	Grassland/Residential
EAST	“AG” (Agricultural District)	Residential
WEST	N/A Fort Riley Military Installation	National Defense

DETAILS OF DEVELOPMENT PLAN:

Due to the subject site being modified, the Final Development Plan needed to be updated to reflect that change, including the map, the list of permitted uses/permitted structures, and

signature block for the Planning Director. These changes do not constitute a substantial change from the Preliminary Development Plan. The changes to the text are as follows:

List of Permitted Uses:

Tract A – No changes.

Proposed LOT 1 Tegtmeier Addition Unit Two – No changes.

1. All permitted uses in the “SF-5” (Single Family Residential) zoning district, subject to the use limitations listed for that district.
2. Accessory apartment (as defined in Section 2 – Definitions of the Riley County Zoning Regulations)

List of Permitted Structures:

Tract A – No changes.

Proposed LOT 1 Tegtmeier Addition Unit Two

1. One single family residential dwelling (subject to the restrictions of the “SF-5” Single Family Residential zoning district)
2. Accessory structures (~~subordinate in size to the principal building, except those dedicated solely for housing stock animals as per Section 13 - Accessory Buildings, Structures and Uses of the Riley County Zoning Regulations~~)
3. One single bedroom accessory apartment (as defined in Section 2 – Definitions of the Riley County Zoning Regulations)

Notes:

4. If it is determined that an entrance pipe is needed, a pipe shall be sized in accordance with Riley County Standards ~~and Specifications for Road Design in Platted Subdivisions~~. In no case shall the pipe be less than ~~18~~ 15 inches in diameter.
8. Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Lot 1 Tegtmeier Addition is currently served by Rural Water and sanitary lateral field. ~~At build-out, Lot 1 will either be served by two separate lateral fields or an on-site wastewater lagoon.~~ Tract A ~~will be~~ is currently served by Rural Water District #1 and an on-site wastewater lagoon.
15. All stormwater drainage from the developed areas of Lot 1 Tegtmeier Addition ~~Unit Two~~ and the winery/events center shall be directed to the existing pond.

Zoning: Existing

- ~~AG (Agricultural District)~~ “A-PUD” (*Agri-Business Planned Unit Development*)

Zoning: Proposed

- ~~ABPUD (Agri-Business Planned Unit Development)~~

POTENTIAL IMPACT:

Public Facilities and Services:

Streets and bridges: The site has direct access to Wildcat Creek Road, a gravel two-lane county road. There are no new entrances being proposed at this time.

Water: The site is located outside of the Manhattan Urban Service Area. Lot 1 Tegtmeier Addition is currently served by rural water. A 2.5-inch rural water district line runs east/west, along the south right-of-way of Wildcat Creek Road, extending from an 8-inch line, that extends southward past the airport and into the City of Ogden (see Figure 2).

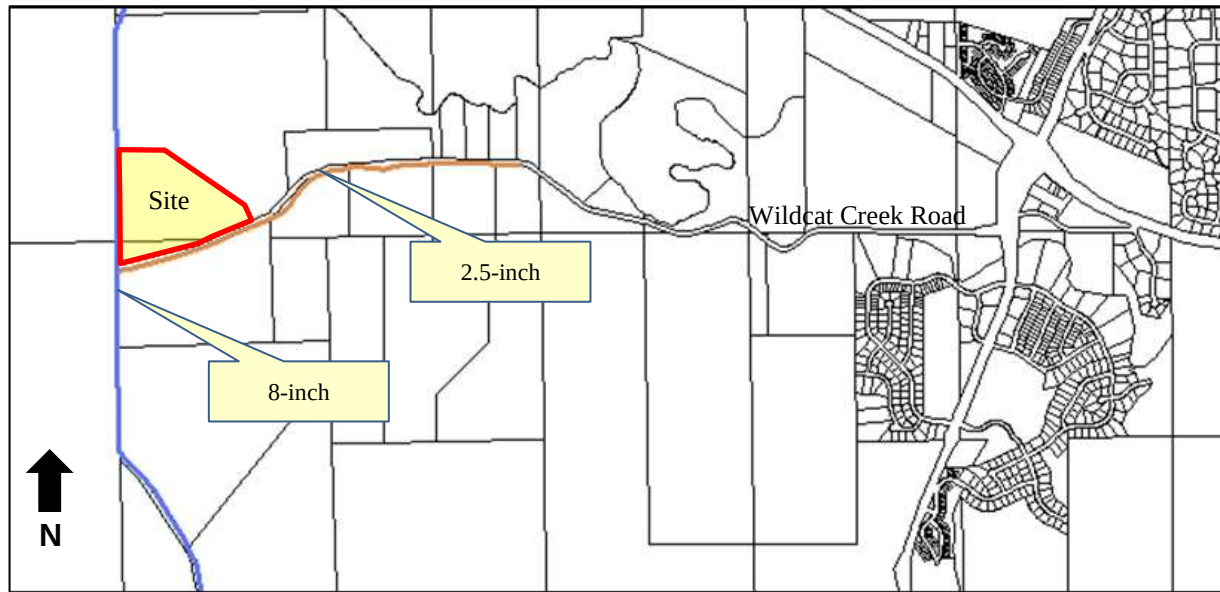


Figure 2. Rural water lines

Sewer: The subject site is served by an on-site private wastewater system consisting of a septic tank and lateral field. The site is in compliance with Riley County Sanitary Code.

Fire: Riley County Fire District #1 will serve the site. The nearest County Fire Station is the Keats Station, located at 3141 69th Avenue. The subject site is not located within five (5) road miles of a fire station. Consequently, this results in the property receiving the highest ISO rating of 10 and increased response times.

Effect on public facilities and services: It is not anticipated that the proposed enlargement of an existing lot will have an adverse impact on public services

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: The Environmental Health Specialist has reviewed the request and reported it to be in compliance with the Riley County Sanitary Code.

COUNTY ENGINEER: The Director of Public Works has reviewed the request and had no comments.

EMERGENCY MANAGEMENT: Deputy Chief Martens reviewed the request and reported no issues.

RILEY COUNTY PLANNING BOARD:

On August 9, 2021, the Riley County Planning Board held a public hearing and approved the request to replat Lot 1 Tegtmeier Addition and an unplatted tract of land into one (1) lot, to be known as Tegtmeier Addition Unit Two, as it was determined to meet the requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code. The Riley County Planning Board also approved certain amendments to the Final Development Plan associated with the property, to reflect the approved replat.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners acknowledge the approved Final Plat of Tegtmeier Addition Unit Two, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

ACTION NEEDED FOR PLAT:

A. Motion to approve Resolution 081921-___ acknowledging the approved Final Plat of Tegtmeier Addition Unit Two and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

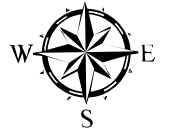
Or

B. Motion to sign Resolution 081921-___ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Tegtmeier Addition Unit Two, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- Fire Station map
- Preliminary Plat map
- Final Plat map
- Final Development Plan

Prepared by: Bob Isaac, Planner
August 11, 2021



VICINITY AND SITE

Tegtmeier

#21-0061
Replat

Tegtmeier Addition, Unit 2

8-10-7
17-10-7

-  1000' Buffer
-  Site



VICINITY



SURROUNDING ZONING

Tegtmeier

#21-0061
Replat

Tegtmeier Addition, Unit 2

8-10-7
17-10-7

 1000' Buffer
 Site

- AG Agricultural
- AG-R AG/Residential
- B-1 Two Family Residential
- B-2 Multiple Family Residential
- B-3 Mobile Home Park
- C-3 General Business
- C-4 Highway Business
- D-1 Industrial Park
- D-2 Light Industrial
- D-3 Heavy Industrial
- Fort Riley
- N-1 Noise Hazard
- PUD Planned Unit Development
- SF-1 Single Family Residential
- SF-2 Single Family Residential
- SF-3 Single Family Residential
- SF-4 Single Family Residential
- SF-5 Single Family Residential
- U University
- Special Zoning:
 - Conditional Use
 - Special Use
 - Variance



FIRE STATIONS

Tegtmeier

#21-0061
Replat

Tegtmeier Addition, Unit 2

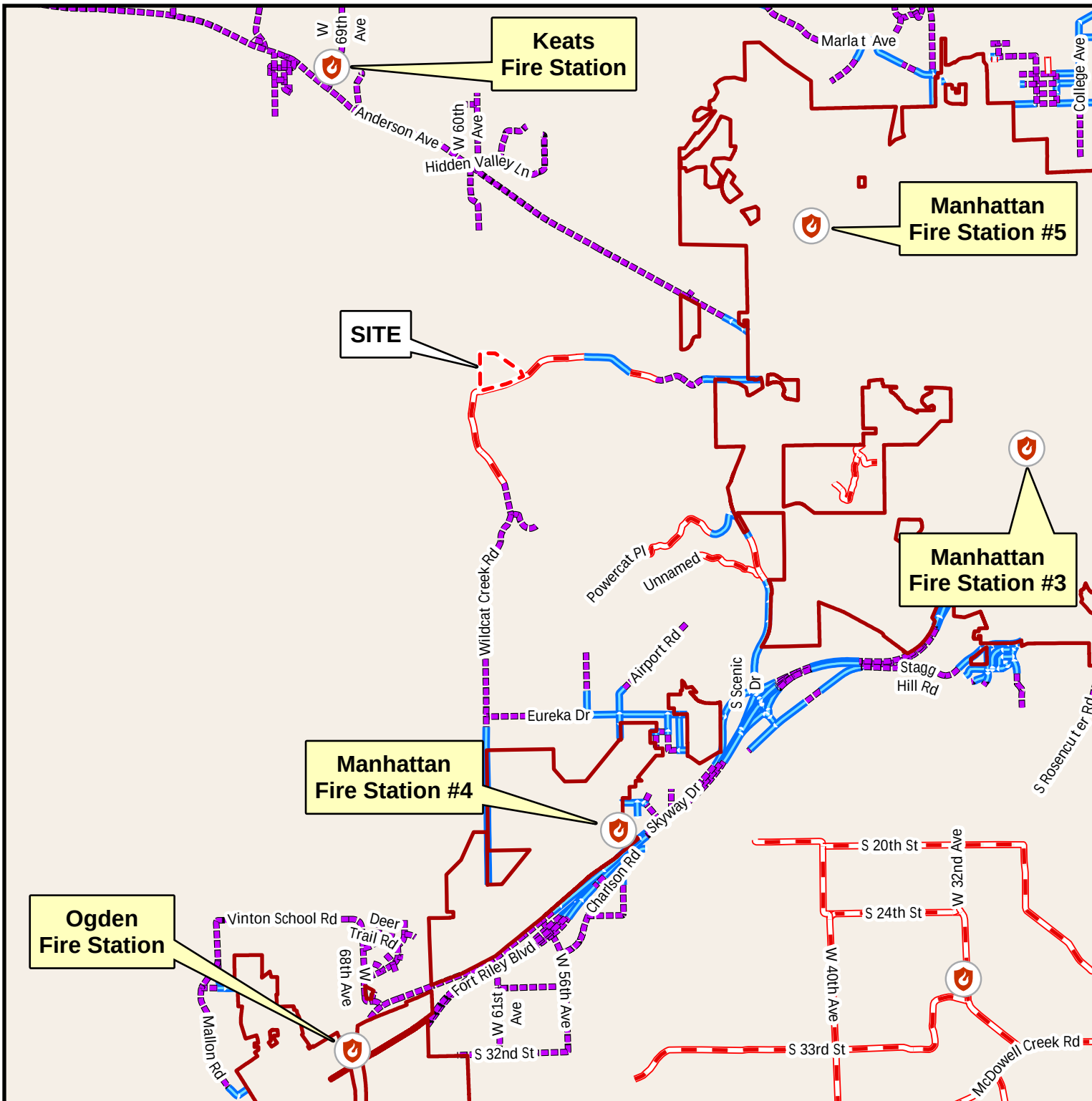
8-10-7
17-10-7



Fire Stations

ISO Rating

- 5 (within 1000' of a hydrant)
- 6 (within 5 road miles of 6 fire station)
- 10 (outside 5 road miles)
- OR road is not paved/gravel





FORT RILEY NOISE CONTOURS AVERAGE AND PEAK

Tegtmeier

#21-0061
Replat

Tegtmeier Addition, Unit 2

8-10-7
17-10-7

 Site

Legend

Average Noise Levels

-  CDNL 57 (LUPZ)
-  CDNL 62 (Zone II)
-  CDNL 70 (Zone III)

Peak Noise Levels Large Caliber

-  Large Caliber 115
-  Large Caliber 130

Attachment: Staff Report BOCC (11057 : Tegtmeier Addition Unit 2)

DESCRIPTION:

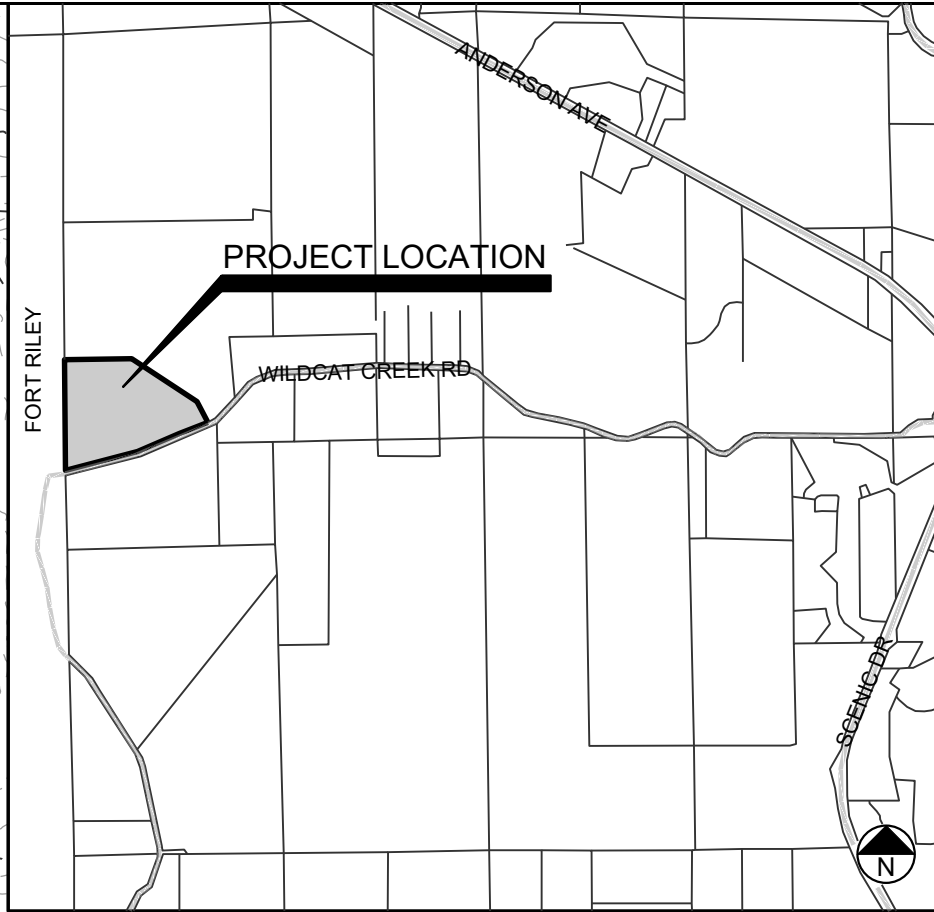
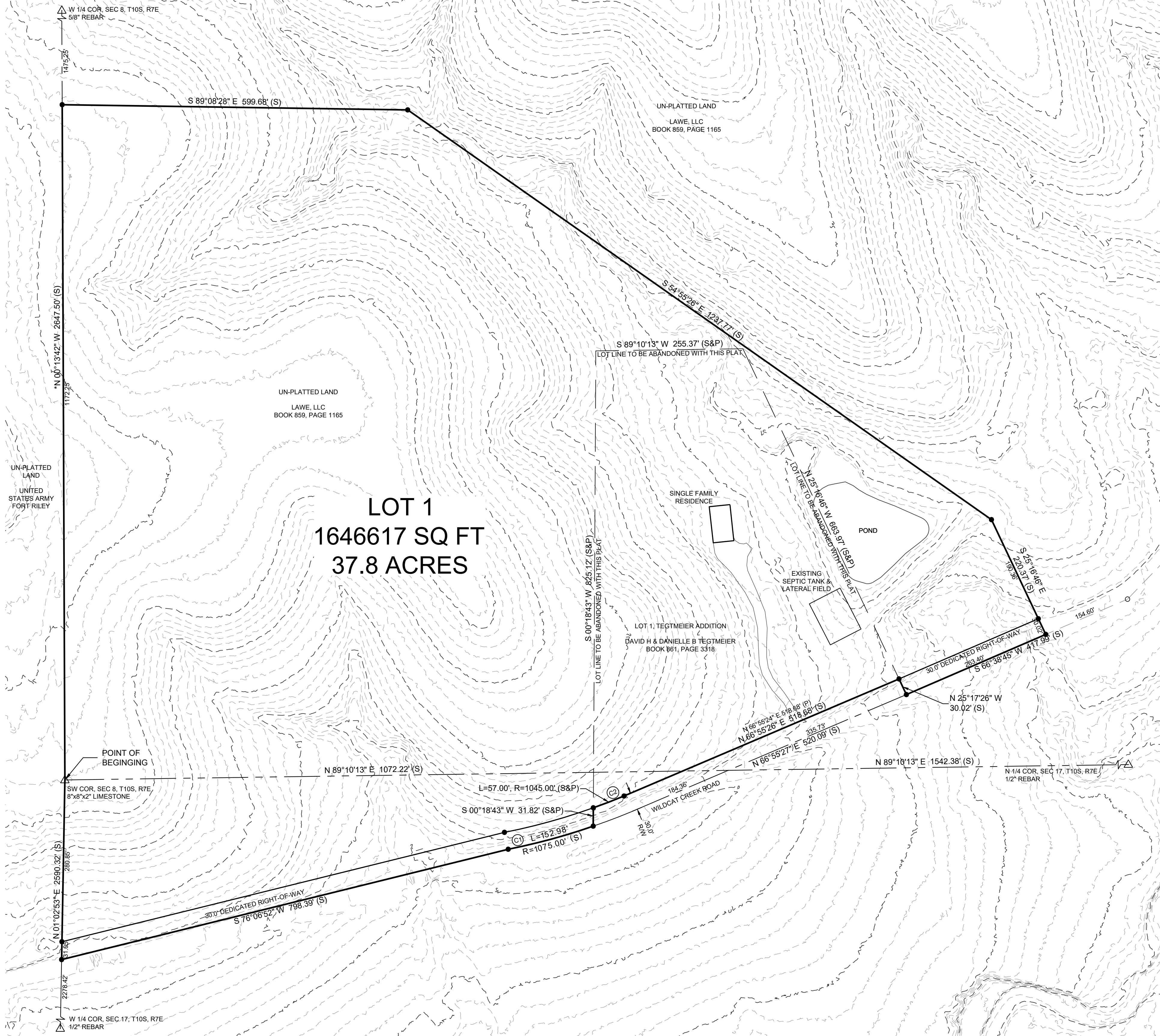
A tract of land in the Southwest Quarter of Section 8 and the Northwest Quarter Section 17, Township 10 South, Range 7 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of said Section 8; thence
N 00°13'42" W 1172.25 feet along the West Line of the Southwest Quarter of said Section 8; thence
S 89°08'28" E 599.68 feet; thence
S 54°55'26" E 1237.77 feet; thence
S 25°16'46" E 220.37 feet to the center line of Wildcat Creek Road; thence
S 66°38'45" W 263.40 feet along the center line of Wildcat Creek Road to the Southeast Corner of Lot 1, Tegtmeier Addition, Riley County, Kansas; thence
N 25°16'46" W 663.97 feet to the Northeast Corner of said Lot 1, Tegtmeier Addition; thence
S 89°10'13" W 255.37 feet to the Northwest Corner of said Lot 1; thence
S 00°18'43" W 825.12 feet to the Southwest Corner of said Lot 1 and the centerline of Wildcat Creek Road; thence
On a curve to the right with a radius of 1075.00 feet, an arc distance of 152.98 feet, chord being
S 74°47'18" W 152.85 feet along the center line of Wildcat Creek Road; thence
S 76°06'52" W 798.39 feet along the center line of Wildcat Creek Road to the West Line of the Northwest Quarter of said Section 17; thence
N 01°02'53" E 311.90 feet to the point of beginning, containing 31.3 acres.

And

Lot 1, Tegtmeier Addition, Riley County, Kansas.

Subject to easements and restrictions of record.



VICINITY MAP
(NOT TO SCALE)

Notes:
No easements, restrictions, reservations, setbacks, or other matter of record, if any, affecting the title of this property are shown, except as platted, as per agreement with the landowner.

No gaps or overlaps exist.

All distances shown on this plat are surveyed.

Parent tract is recorded in Book 0555, Page 0389, AND Lot 1 Tegtmeier Addition is recorded in Book 861, Page 3318, Register of Deeds Office, Riley County, Kansas.

Contour lines and elevations are from the Manhattan, Riley County LIDAR information.

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

All lots shall be in compliance with the Riley County Sanitary Code.

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

All development within the Tegtmeier Winery Planned Unit Development shall conform to the approved Final Development Plan and Resolution No 092514-42 dated September 25, 2014 (as may be amended).

Property owner(s) is/are required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences and walls) are prohibited within publicly dedicated drainage easements.

FORT RILEY NOTICE OF POTENTIAL NOISE IMPACTS:
This subdivision is subject to the Notice of Potential Noise Impacts from Fort Riley, Kansas Military Installation and Recommended Noise Attenuation Building Methods recorded on August 17, 2020 in Book 881, Page 7017.

FLOOD INFORMATION NOTE:
Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) Community Panel Number 20161C0335G, effective date, March 16, 2015.

LEGEND

- Monument Found (1/2" Rebar),
Origin: Tegtmeier Addition
- 1/2"x24" Rebar w/CLS66 Cap Set
- ▲ Section Corner, NOTE: All section corner monument origins are unknown unless otherwise noted.
- Assumed Bearing
- ① Curve Number
- (P) Plat Dimension
- (S) Surveyed Dimension

Preliminary Plat
TEGTMEIER
ADDITION,
UNIT 2

A replat of Lot 1 Tegtmeier Addition and a tract of land in the Southwest Quarter of Section 8, and the Northwest Quarter of Section 17, T10S, R7E, Riley County, Kansas



Civil Surveying • Land Surveying • Landscape Architecture
www.smhconsultants.com
Manhattan, KS - HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952
Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145
Drawn By:ASJ Project #2106-0245 DD #TDS86

JULY 2021

Curve Table						
Curve #	Radius	Length	Chord	Tangent	Delta	Bearing
C1	1075.00	152.98	152.85	76.62	8°09'13"	N 74°47'18" E
C2	1045.00	57.00	56.99	28.51	3°07'30"	N 68°58'26" E

OWNERS:
David & Daniella Tegtmeier
1929 Wildcat Creek Road
Manhattan, KS 66503

LAW, LLC
1745 Wildcat Creek Road
Manhattan, KS 66503
785-370-8025

SURVEYOR:
SMH Consultants, P.A.
Tim Sloan, Vice-President
2017 Vanesta Place, Suite 110
Manhattan, KS 66503
PH: 785-776-0541

ZONING:
EXISTING: A-PUD: (AGRICULTURAL PLANNED UNIT DEVELOPMENT)

NOTES:
EXISTING USE OF PROPERTY IS AGRICULTURE - VINEYARD AND RESIDENTIAL

PROPOSED USE OF PROPERTY IS AGRICULTURE - VINEYARD AND RESIDENTIAL

NET DENSITY IS 0.0265 UNITS/ACRE

ALL UTILITIES SHALL BE UNDERGROUND



CALL BEFORE YOU
DIG - DRILL - BLAST

KANSAS:
P: 800-344-7233
F: 316-687-3753
COLORADO:
P: 800-922-1987
F: 303-234-1712

The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients/contractors responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.

DESCRIPTION:

A tract of land in the Southwest Quarter of Section 8 and the Northwest Quarter Section 17, Township 10 South, Range 7 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of said Section 8, thence
N 00°13'42" W 1172.25 feet along the West Line of the Southwest Quarter of said Section 8; thence
S 89°08'28" E 599.68 feet; thence
S 54°55'26" E 1237.77 feet; thence
S 25°16'46" E 220.37 feet to the center line of Wildcat Creek Road; thence
S 66°38'45" W 263.40 feet along the center line of Wildcat Creek Road to the Southeast Corner of Lot 1, Tegtmeier Addition, Riley County, Kansas; thence
N 25°16'46" W 663.97 feet to the Northeast Corner of said Lot 1, Tegtmeier Addition; thence
S 89°10'13" W 255.37 feet to the Northwest Corner of said Lot 1; thence
S 00°18'43" W 825.12 feet to the Southwest Corner of said Lot 1 and the centerline of Wildcat Creek Road; thence
On a curve to the right with a radius of 1075.00 feet, an arc distance of 152.98 feet, chord being
S 74°47'18" W 152.85 feet along the center line of Wildcat Creek Road; thence
S 76°06'52" W 798.39 feet along the center line of Wildcat Creek Road to the West Line of the Northwest Quarter of said Section 17; thence N 01°02'53" E 311.90 feet to the point of beginning, containing 31.3 acres.
AND
Lot 1, Tegtmeier Addition, Riley County, Kansas.
Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at _____, Kansas this _____ day of _____, 2021.

LAWE, LLC, a Kansas Limited Liability Company

David H Tegtmeier, as Resident Agent
of LAWWE, LLC, a Kansas Limited
Liability Company

Danielle B Tegtmeier, as Resident
of LAWWE, LLC, a Kansas Limited
Liability Company

David H Tegtmeier, owner

Danielle B Tegtmeier, owner

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

BE IT REMEMBERED, that on this _____ day of _____ A.D. 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came

David and Danielle Tegtmeier

owners and Resident Agents of LAWWE, LLC, a Kansas Limited Liability Company

personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public

My appointment expires: _____

APPROVAL OF COUNTY OFFICERS

STATE OF KANSAS)
COUNTY OF RILEY) SS

County Engineer

County Counselor

Environmental Health Specialist

CERTIFICATE OF THE COUNTY COMMISSION

STATE OF KANSAS)
COUNTY OF RILEY) SS

Approved this _____ day of _____, 2021.
Board of Commissioners, Riley County, Kansas.

Chairperson

Commissioner

Commissioner

Attest: County Clerk

RILEY COUNTY
PLANNING BOARD CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

Approved this _____ day of _____ A.D. 2021.

Riley County Planning Board.

Chairperson

Member

Member

Member

Member

CERTIFICATE OF THE REGISTER OF DEEDS

STATE OF KANSAS)
COUNTY OF RILEY) SS

This instrument was filed for record on the _____ day of _____ A.D. 2021, at _____ o'clock ____ M., and duly recorded in Book _____ on Page _____

Register of Deeds

Deputy

RILEY COUNTY PLAT REVIEW SURVEYOR SIGNATURE BLOCK

This plat has been reviewed and approved for filing pursuant to and in compliance with K.S.A 58-2005 and with the requirements of Riley County Resolution No.082913-58. No other warranties are extended or implied.

Approved: _____

License Number: _____

Date: _____

UN-PLATTED LAND
LAWE, LLC
BOOK 859, PAGE 1165

UN-PLATTED LAND
LAWE, LLC
BOOK 859, PAGE 1165

UN-PLATTED LAND
UNITED STATES ARMY
FORT RILEY

LOT 1
1646617 SQ FT
37.8 ACRES

SINGLE FAMILY
RESIDENCE

POND

EXISTING
SEPTIC TANK &
LATERAL FIELD

LOT 1, TEGTMEIER ADDITION
DAVID H & DANIELLE B TEGTMEIER
BOOK 861, PAGE 3318

POINT OF
BEGINING

SW COR, SEC 8, T10S, R7E
8"x8"x2" LIMESTONE

L=57.00', R=1045.00' (S&P)

S 00°18'43" W 31.82' (S&P)

(C) L=152.98'

R=1075.00' (S)

(C) L=152.98'

R=1075.00' (S)

30.0' DEDICATED RIGHT-OF-WAY

S 76°06'52" W 798.39' (S)

L=57.00', R=1045.00' (S&P)

S 00°18'43" W 31.82' (S&P)

(C) L=152.98'

R=1075.00' (S)

(C) L=152.98'

R=1075.00' (S)

S 00°18'43" W 31.82' (S&P)

L=57.00', R=1045.00' (S&P)

(C) L=152.98'

R=1075.00' (S)

S 00°18'43" W 31.82' (S&P)

L=57.00', R=1045.00' (S&P)

(C) L=152.98'

R=1075.00' (S)

S 00°18'43" W 31.82' (S&P)

L=57.00', R=1045.00' (S&P)

(C) L=152.98'

R=1075.00' (S)

S 00°18'43" W 31.82' (S&P)

L=57.00', R=1045.00' (S&P)

(C) L=152.98'

R=1075.00' (S)

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

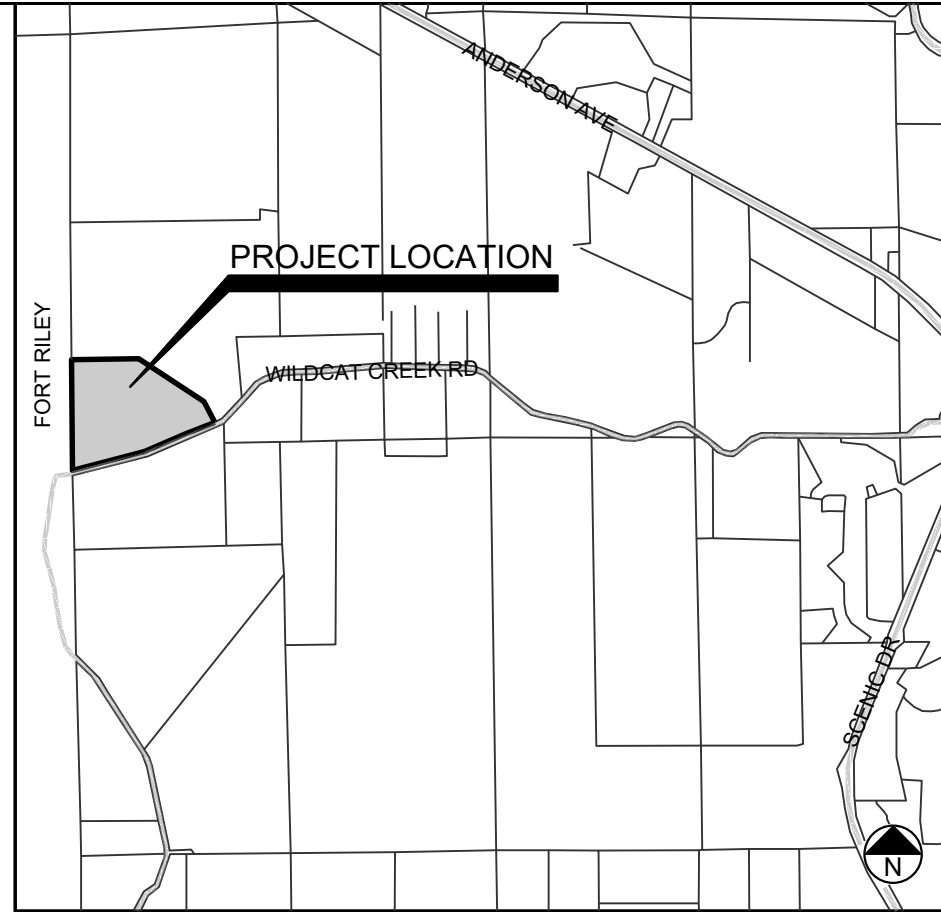
LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT

S 89°10'13" W 255.37' (S&P)

LOT LINE TO BE ABANDONED WITH THIS PLAT



VICINITY MAP
(NOT TO SCALE)

Notes:
No easements, restrictions, reservations, setbacks, or other matter of record, if any, affecting the title of this property are shown, except as platted, as per agreement with the landowner.

No gaps or overlaps exist.

All distances shown on this plat are surveyed.

Parent tract is recorded in Book 0555, Page 0389 and Lot 1 Tegtmeier Addition is recorded in Book 861, Page 3318 Register of Deeds Office, Riley County, Kansas.

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Road Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

All lots shall be in compliance with the Riley County Sanitary Code.

All development within the Tegtmeier Winery Planned Unit Development shall conform to the approved Final Development Plan and Resolution No. 092514-42 dated September 25, 2014 (as may be amended).

All persons, entities and/or utility companies, having property rights or interests in any alley, road/street, easement, access control or other public reservation proposed to be vacated by this plat, have affirmed no existing use or future interest in such alley, road/street, easement, access control or other public reservation, and expressed no objections to such vacation.

Property owner(s) is/are required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences and walls) are prohibited within publicly dedicated drainage easements.

FORT RILEY NOTICE OF POTENTIAL NOISE IMPACTS:
This subdivision is subject to the Notice of Potential Noise Impacts from Fort Riley, Kansas Military Installation and Recommended Noise Attenuation Building Methods recorded on August 17, 2020 in Book 881, Page 7017.

FLOOD INFORMATION NOTE:
Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) Community Panel Number 20161C0335G, effective date, March 16, 2015.

LEGEND

- Monument Found (1/2" Rebar),
Origin: Tegtmeier Addition
- 1/2"x24" Rebar w/CLS66 Cap Set
- △ Section Corner, NOTE: All section corner monument
origins are unknown unless otherwise noted.
- Assumed Bearing
- ① Curve Number
- (P) Plat Dimension
- (S) Surveyed Dimension



150' 75' 0' 150'
SCALE: 1" = 150'

Final Plat
TEGTMEIER
ADDITION
UNIT 2

A replat of Lot 1 Tegtmeier Addition and a tract of land in the Southwest Quarter of Section 8, & the Northwest Quarter of Section 17, T10S, R7E, Riley County, Kansas

SMH
CONSULTANTS

Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com

Manhattan, KS - HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952
Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By: ASJ Project: 2106-0245 TDS86

JUNE 2021

DESCRIPTION:
TRACT 1:

A tract of land in the Northwest Quarter (NW¼) of Section 8, Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, described as follows: Beginning at the Southwest corner of the Northwest Quarter of Section 8; thence North on Section line 3 Chains; thence East 36 Chains; thence North to the left bank of Wildcat Creek; thence in a southeasterly direction along left bank of Wildcat Creek to the Quarter Section line, running North and South in Section 8; thence South of the Quarter Section line 3 ½ chains to Southeast Corner of the Northwest Quarter of Section 8; thence West on Quarter Section line 40 chains to point of beginning; and

All that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Ten (10) South, Range Seven (7) East of the 6th P.M., Riley County, Kansas, which lies North of the township road;

LESS the following two tracts:

All that part of the following described tract which lies in said Southwest Quarter to-wit: A tract of land in the SW¼ of the SE¼, and the SE¼ of the SW ¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., in Riley County, Kansas, described as follows: Beginning at the Northwest corner of said SW¼ of the SE¼, being Corner 1, marked by a 3/8 inch iron bar; thence North 88°32'13" East 1321.71 feet along the North line of said SW¼ of the SE¼ to the NE Corner thereof being Corner 2, marked by a 3/8 inch iron bar; thence South 2°16'40" East 397.45 feet along the East line of said SW¼ of the SE¼ to the Center of a township road being Corner 3, marked by a ½ inch iron bar; thence continuing along the Center of said township road the following courses: South 88°20'42" West 123.06 feet to Corner 4, marked by a ½ inch iron bar, South 85°05'09" West 225.78 feet to Corner 5, marked by a ½ inch iron bar, South 83°09'53" West 224.90 feet to Corner 6, marked by a ½ inch iron bar, South 88°36'49" West 525.85 feet to Corner 7, marked by a ½ inch iron bar, on a curve to the left having a radius of 1246.01 feet, an arc distance of 396.62 feet, the chord being South 79°29'41" West 394.94 feet to Corner 8, marked by a ½ inch iron bar, South 70°22'33" West 8.08 feet to Corner 9, marked by a ½ inch iron bar on a curve to the left having a radius of 561.81 feet, an arc distance of 264.98 feet, the chord being South 56°51'50" West 262.53 feet to Corner 10, marked by a ½ inch iron bar, South 43°21'08" West 162.73 feet to Corner 11, marked by a ½ inch iron bar; thence leaving said township road North 3°07'06" West 749.95 feet to Corner 12, marked by a ½ inch iron bar; thence North 88°32'13" East 528.34 feet to the point of beginning; and

LESS a tract of land lying in the SW¼ of Section 8, Township 10 South, Range 7 East of the 6th P.M., Riley County, Kansas, surveyed by Richard M. Haynie, Land Surveyor, and recorded in Quitclaim Deed, dated October 27, 2000, from Robert W. Clack, Jr. and Maria T. Clack, husband and wife, to Robert W. Clack, Jr. and Maria T. Clack, husband and wife, filed November 29, 2000, and recorded in Book 788, Page 218, in the office of the Register of Deeds of Riley County, Kansas;

TRACT 2:

A tract of land lying in the Southwest Quarter of Section 8, Township 10 South, Range 7 East of the 6th P.M., in Riley County, Kansas, and described more particularly as follows: From the Southwest corner of the said Section 8, proceed North 88°44'40" East 1146.62 feet to a ½ inch iron bar and the Center of a township road; thence North 66°02'42" East 4.57 feet to a ½ inch iron bar and the POINT OF BEGINNING; thence North 66°02'42" East 754.71 feet along the Center line of said township road to a ½ inch iron bar; thence North 43°21'08" East 54.91 feet to a ½ inch iron bar; thence North 03°07'09" West 994.44 feet to a ½ inch iron bar and the North line of the South half of the Southwest Quarter of said Section 8; thence South 88°39'59" West 745.49 feet along the North line of the South half of said Southwest quarter to a ½ inch iron bar; thence South 03°07'05" East 1323.94 feet to a ½ inch iron bar and the POINT OF BEGINNING;

TOGETHER WITH a 60 foot easement across the 19.56 acre tract which lies East of the subject property, and is set forth in Corporation Deed, from the Kansas State University Foundation to David Adams and Carol Adams, filed December 18, 1991, and recorded in Book 595, Page 319 in the office of the Register of Deeds of Riley County, Kansas;

TRACT 3:

All that part of the North Half (N½) of the Northwest Quarter (NW¼) of Section Seventeen (17), Township Ten (10) South, Range Seven (7) East of the 6th P.M., in Riley County, Kansas, which lies North of the Township Road;

Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at _____, Kansas this _____ day of _____, 2021.

LAWE, LLC

David H Tegtmeier, as Resident Agent
of LAWE, LLC, a Kansas Limited Liability
Company

Danielle B Tegtmeier, as Resident
of LAWE, LLC, a Kansas Limited
Liability company

David H Tegtmeier, owner

Danielle B Tegtmeier, owner

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF RILEY) SS

BE IT REMEMBERED, that on this _____ day of _____ A.D. 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came

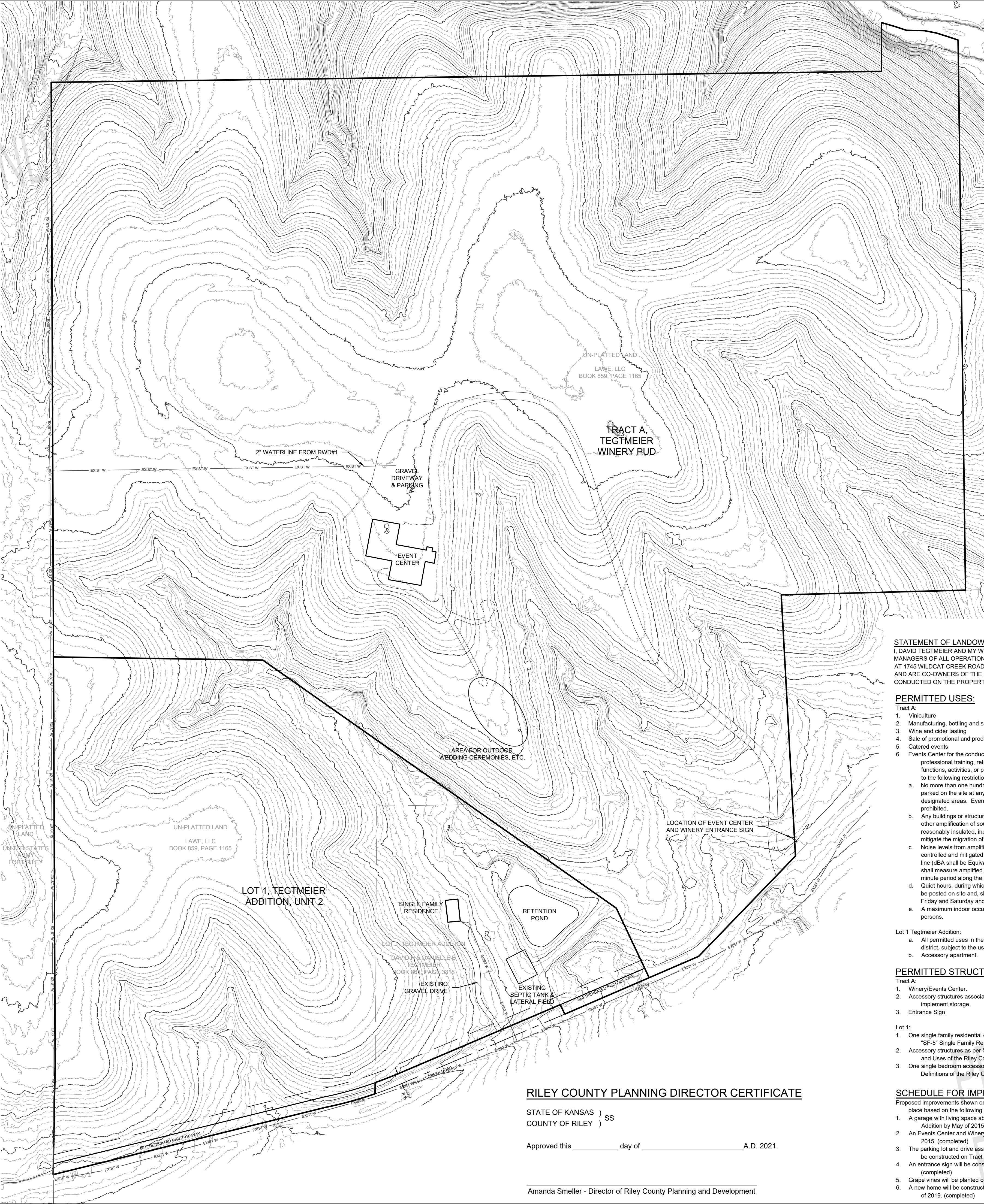
David and Danielle Tegtmeier
owners and Resident Agents of LAWE, LLC, a Kansas Limited Liability Company

personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public

My appointment expires: _____



STATEMENT OF LANDOWNER'S INTEREST:
I, DAVID TEGTMEIER AND MY WIFE, DANIELLE TEGTMEIER WILL BE MANAGERS OF ALL OPERATIONS OF THE WINERY AND RELATED BUSINESS AT 1745 WILDCAT CREEK ROAD. WE WILL BE LIVING ON THE PROPERTY AND ARE CO-OWNERS OF THE LAND AND ALL BUSINESS TO BE CONDUCTED ON THE PROPERTY

PERMITTED USES:

- Tract A:
- Viniculture
 - Manufacturing, bottling and sale of wine and cider
 - Wine and cider tasting
 - Sale of promotional and products accessory to wine
 - Catered events
 - Events Center for the conduct of conferences, meetings, business or professional training, retreats, and recreational, social, or religious functions, activities, or purposes. Events Center use shall be subject to the following restrictions and limitations:
 - No more than one hundred twenty-five (125) motor vehicles may be parked on the site at any one time. Parking shall only be permitted in designated areas. Event parking along Wildcat Creek Road shall be prohibited.
 - Any buildings or structures in which dances or playing of music or other amplification of sound occurs must be enclosed and shall be reasonably insulated, including insulation of walls and entire ceiling, to mitigate the migration of noise to adjoining properties.
 - Noise levels from amplification of sound (indoor or outdoor) shall be controlled and mitigated so as to not exceed 65 dBA at the property line (dBA shall be Equivalent-Continuous sound levels (Leq) which shall measure amplified noise generated within the property over a 10 minute period along the involved property line.
 - Quiet hours, during which no amplified sound will be permitted, shall be posted on site and, shall be between 11:00 PM and 8:00 AM for Friday and Saturday and 9:00 PM and 8:00 AM for Sunday-Thursday.
 - A maximum indoor occupancy for the Event Center shall be 375 persons.

Lot 1 Tegtmeier Addition:

- All permitted uses in the "SF-5" (Single Family Residential) zoning district, subject to the use limitations listed for that district.
- Accessory apartment.

PERMITTED STRUCTURES:

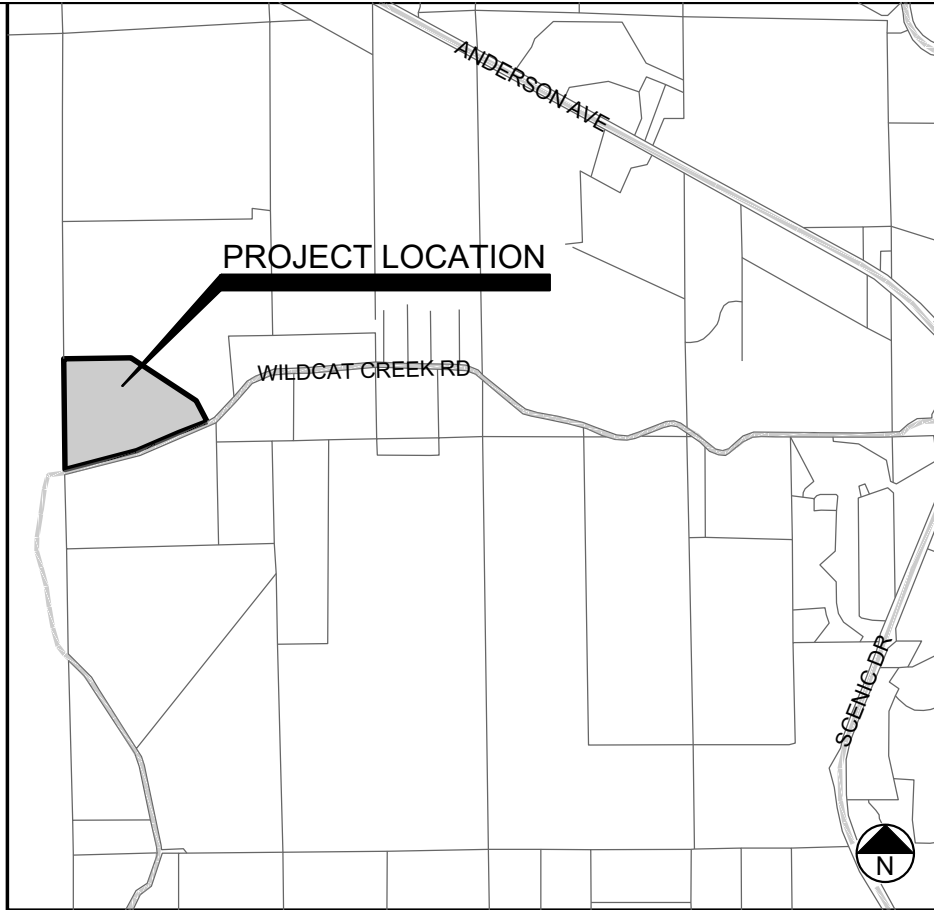
- Tract A:
- Winery/Events Center.
 - Accessory structures associated with agricultural activities, including implement storage.
 - Entrance Sign

Lot 1:

- One single family residential dwelling (subject to the restrictions of the "SF-5" Single Family Residential zoning district).
- Accessory structures as per Section 13 - Accessory Buildings, Structures, and Uses of the Riley County Zoning Regulations.
- One single bedroom accessory apartment (as defined in Section 2 - Definitions of the Riley County Zoning Regulations).

SCHEDULE FOR IMPROVEMENTS:

- Proposed improvements shown or described herein will be completed and in place based on the following schedule:
- A garage with living space above will be constructed on Lot 1 Tegtmeier Addition by May of 2015. (completed)
 - An Events Center and Winery will be constructed on Tract A by August of 2015. (completed)
 - The parking lot and drive associated with the Events Center and Winery will be constructed on Tract A by August of 2015. (completed)
 - An entrance sign will be constructed on Tract A by August of 2015. (completed)
 - Grape vines will be planted on Tract A by August of 2016. (completed)
 - A new home will be constructed on Lot 1 Tegtmeier Addition by December of 2019. (completed)



VICINITY MAP
(NOT TO SCALE)

NOTES:

- Bearings used on this survey are based on deed description.
- No Gaps and overlaps were found on this property.
- Easements, setbacks, restrictions or encumbrances of record if any, affecting the title to this tract are not shown.
- If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for road design in Platted Subdivisions. In no case shall the diameter of the pipe be less than 15 inches.
- All drives and parking areas shall consist of all-weather surfacing. The drive accessing the Events Center shall be at least 20 feet wide in accordance to fire code and to provide two-way traffic.
- The gravel driveway to the events center and winery shall be maintained in condition that is traversable by emergency response vehicles.
- Owners will resurface and maintain all drives and parking area surfaces on a regular schedule or as needed to provide overall good-looking appearance for visitors. The road will be fully maintained for complete access to all vehicles year round.
- Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Lot 1 Tegtmeier Addition is currently served by Rural Water and sanitary lateral field. Tract A is currently served with potable water by the Riley County Rural Water District #1 and an on-site wastewater lagoon.
- Location(s) and extent(s) of fencing and trails may be modified at the owner's discretion as required to serve the permitted uses.
- Buildings and structures shall comply with State of Kansas minimum building and life safety codes per the 2006 IBC and the 2000 NFPA 101. Maximum permitted occupancy shall be posted in the winery/events center building.
- The winery/event center building(s) shall meet the minimum building code requirements as per the State Fire Marshal.
- All structures and signs are shown in approximate locations.
- All proposed lighting shall have directional control or appropriate cut-offs to minimize spillage and light trespass.
- Existing riparian areas and native tree stands shall remain intact as much as possible to act as an audio and visual buffer to surrounding properties. All areas, unless improved, will remain agricultural.
- All stormwater drainage from the developed areas of Lot 1 Tegtmeier Addition and the winery/events center shall be directed to the existing pond.
- All signs shall be subject to Section 15-Signs of the Riley County Zoning Regulations.
- Prior to construction of any buildings on the described property, a Fort Riley, Kansas Area of Military Impact Real Estate Disclosure Form, provided by Riley County Planning & Development, shall be signed and filed in the Office of the Register of Deeds.
- The landowner has 100% interest in the land to be developed. The landowner controls the land and is financially capable to effectuate the proposed plan.
- The maximum number of participants for an event on the site shall be limited to 375 persons.

NOTE:

ZONING - EXISTING
A-PUD: (AGRICULTURAL PLANNED UNIT DEVELOPMENT)

FLOOD INFORMATION NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, MAP NUMBER 20029B 0333 F, DATED FEBRUARY 4, 2005, THIS PROPERTY IS LOCATED IN ZONE X. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

OWNER/DEVELOPER:

LAWE, LLC
3091 STATE HIGHWAY 63
BERN, KS 66408

David and Danielle Tegtmeier
1929 Wildcat Creek Road
Manhattan, KS 66503



150' 75' 0' 150'
SCALE: 1" = 150'

LEGEND

- ROAD CENTER LINE
- WATER LINE

Amended Final Development Plan
TEGTMEIER WINERY

Riley County, Kansas

SMH
CONSULTANTS

Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com
Manhattan, KS • HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952
Overland Park, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By:ASJ Project #2106-0245 TDS#86

JULY 2021

EXCERPT OF MINUTES RILEY COUNTY PLANNING BOARD

August 9, 2021

Page 1

Tegtmeier – Replat

Chairman Taul opened the public hearing at the request of David H. & Danielle B. Tegtmeier, LAWE LLC, petitioners and owners, to replat Lot 1 of Tegtmeier Addition with an unplatted tract of land in Wildcat Township, Sections 8 & 17, Township 10 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request stating the applicants wished to replat Lot 1 of Tegtmeier Addition together with an unplatted tract of land into a single lot and amend the Final Development Plan to reflect the proposed replat. He said the subject property is an approximately 37-acre tract that consists of platted Lot 1 of Tegtmeier Addition, with approximately 25 acres of unplatted land surrounding it.

Mr. Isaac stated in September 2014, the applicants successfully platted Lot 1 of Tegtmeier Addition and rezoned the lot and surrounding parent tract from “AG” (Agricultural District) to “A-PUD” (Agri-Business Planned Unit Development) in order to establish a viniculture operation, with a winery and events center. He said Lot 1 is developed with a single family residence. Mr. Isaac stated that the applicants recently discovered that a portion of the parent tract surrounding the subject lot became available for purchase. He said they wished to take advantage of the situation and add to their existing lot. Mr. Isaac said staff advised that a replat would be necessary, as well as amending the Final Development Plan to reflect the lot configuration of the proposed replat.

Mr. Isaac stated that the amended Final Development Plan remains in substantial conformance with the Preliminary Development Plan. He said it was recommended, however, that the map portion of the development plan be updated to show the proposed changes to Lot 1 and to also update certain text of the original document, as follows:

List of Permitted Uses:

Tract A – No changes.

Proposed LOT 1 Tegtmeier Addition Unit Two – No changes.

1. All permitted uses in the “SF-5” (Single Family Residential) zoning district, subject to the use limitations listed for that district.
2. Accessory apartment (as defined in Section 2 – Definitions of the Riley County Zoning Regulations)

List of Permitted Structures:

Tract A – No changes.

Proposed LOT 1 Tegtmeier Addition Unit Two

1. One single family residential dwelling (subject to the restrictions of the “SF-5” Single Family Residential zoning district)
2. Accessory structures (subordinate in size to the principal building, except those dedicated solely for housing stock animals as per Section 13 - Accessory Buildings, Structures and Uses of the Riley County Zoning Regulations)

3. One single bedroom accessory apartment (as defined in Section 2 – Definitions of the Riley County Zoning Regulations)

Notes:

#4. If it is determined that an entrance pipe is needed, a pipe shall be sized in accordance with Riley County Standards and Specifications for Road Design in Platted Subdivisions. In no case shall the pipe be less than ~~18~~ 15 inches in diameter.

#8. Site and all uses therein shall be in compliance with the Riley County Sanitary Code. Lot 1 Tegtmeier Addition is currently served by Rural Water and sanitary lateral field. ~~At build-out, Lot 1 will either be served by two separate lateral fields or an on-site wastewater lagoon.~~ Tract A ~~will be~~ is currently served by Rural Water District #1 and an on-site wastewater lagoon.

#15. All stormwater drainage from the developed areas of Lot 1 Tegtmeier Addition Unit Two and the winery/events center shall be directed to the existing pond.

Zoning: Existing

~~- AG (Agricultural District)~~ “A-PUD” (Agri-Business Planned Unit Development)

Zoning: Proposed

~~-ABPUD (Agri-Business Planned Unit Development)~~

Staff recommended that the Planning Board approve the Final Plat of Tegtmeier Addition Unit 2, as it has been determined to meet the minimum requirements of the Riley County Zoning and Subdivision Regulations and Sanitary Code. Staff also recommended that the Planning Board approve the proposed amendments to the existing Final Development Plan reflecting the proposed replat of Lot 1 Tegtmeier Addition.

Chairman Taul opened the public hearing and asked if the applicants wanted to speak. Mr. Isaac explained the applicants were unable to attend the meeting.

Chairman Taul asked if there were any proponents or opponents.

Mike Sheffield stated he lives east of the Tegtmeier’s and asked what all could be built on the newly replatted lot.

Mr. Isaac stated there is already an existing home occupying the lot and even after the lot is enlarged, Riley County Zoning Regulations and the Final Development Plan both state only one house per lot. He said the applicants, at this time, are not planning to develop anything else on the lot. He said, in time, the applicants will eventually want to build a new home and change the one bedroom home into a place for employees to stay. He stated when that time comes, the Final Development Plan will need to be amended.

Dave Adams stated he lives at 1725 Wildcat Creek Road. He said his driveway is 150 feet from the winery’s entrance. He said they are constantly getting winery traffic coming down their driveway. Mr. Adams stated he has even put signs up to direct traffic but it doesn’t stop them because they are using navigation on their cell phones and not paying attention to the signs.

Mr. Adams said the property is zoned agricultural and asked what type of animals are allowed.

Mr. Isaac explained the Final Development Plan lays out the specific types of agricultural uses allowed. He said, statutorily, if someone wanted to do agriculture, regardless of the zoning, they are exempt. He stated if they wanted to run cattle, they can.

Mr. Sheffield stated that the Tegtmeier's have been very good neighbors and are very open about what they do at the winery. He did say they can see winery traffic going in and out of the Adam's driveway and not sure what can be done about that.

Joe Gelroth moved to close the public hearing. Nathan Larson seconded. Carried 4-0.

Joe Gelroth moved to approve the request replat Lot 1 of Tegtmeier Addition with an unplatted tract of land, for reasons stated in the staff report. John Wienck seconded. Carried 4-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on August 19, 2021, at 9:50 am, in the County Commission Chambers.

RESOLUTION NO. 081921-**A RESOLUTION APPROVING THE TEGTMEIER ADDITION UNIT 2 AND
ACCEPTING THE STREET RIGHTS OF WAY, EASEMENTS AND LICENSES AS
SHOWN TO BE DEDICATED ON SAID PLAT**

WHEREAS, the Board of Commissioners of Riley County, Kansas, has been presented for approval of the Tegtmeier Addition Unit 2; and

WHEREAS, the Board finds that all legal requirements have been met for approval of said plat; and

WHEREAS, the Riley County Planning & Development Department has reviewed said plat and found it to be in compliance with the Riley County Sanitary Code; and

WHEREAS, the Riley County Planning Board, after appropriate notice, conducted a public hearing on August 9, 2021; and

WHEREAS, the Riley County Planning Board, after making a determination that said plat meets the minimum requirements of the Riley County Subdivision Regulations, **approved** said plat; and

WHEREAS, all required signatures have been obtained.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF RILEY COUNTY, KANSAS:**

That the Tegtmeier Addition Unit 2 plat is hereby approved, and the Board of Commissioners of Riley County, Kansas hereby accepts all street rights of way, easements and licenses, as dedicated thereon.

Adopted this 19th day of August, 2021.

BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS

John Ford, Chair

Greg McKinley, Vice Chair

Kathryn G. Focke, Member

ATTEST:

Rich Vargo, Riley County Clerk

Attachment: Resolution (11057 : Tegtmeier Addition Unit 2)



EXTENSION
Staff Update

Gary Fike
County Extension
Director
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6350

STAFF REPORT

FROM: Gary Fike
MEETING: August 19, 2021
SUBJECT: Extension Staff Update on Riley County Fair
PRESENTER: Gary Fike, County Extension Director

Will give an update on the 2021 Riley County Fair.

Enclosures:

- BOCC report August 2021 (PPTX)

Extension Update

GARY D. FIKE

COUNTY EXTENSION DIRECTOR

K-STATE
Research and Extension

Riley County



Attachment: BOCC report August 2021 (11066 : Staff Update)

Review of the Riley County Fair

- u Amazing fair this year with attendance!
- u Kaw Valley Rodeo broke 15 year attendance record with 6,479 attendees
- u Carnival gross: record \$ 153,278
- u Total 4-H ribbons awarded for projects was 2,089
- u 4-H Livestock Sale was a smashing success! Premiums raised \$ 70,000!

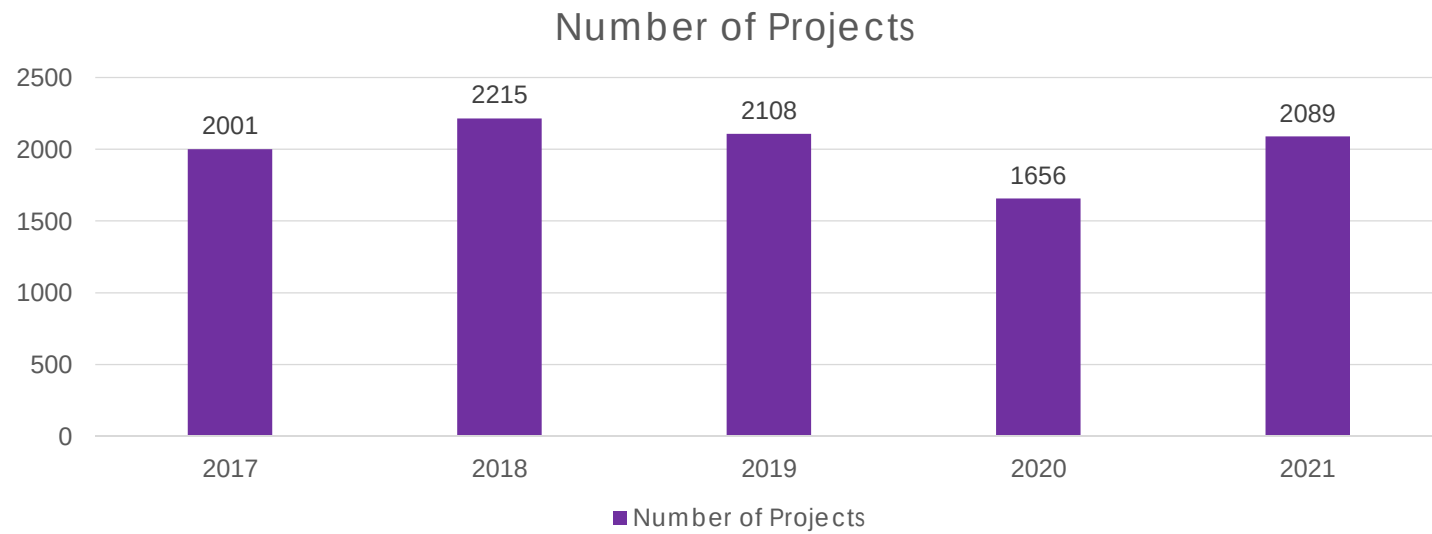


More Highlights

- u New skillathon event was a success and we'll have a team for the state contest; first time ever!
- u Corn hole tournament a success with 40 teams; Military Appreciation Night very successful with attendance!
- u Weather pretty much cooperated. Food vendors did a land office business.
- u In process of determining economic impact of vendors. Will have those figures for you at another date.

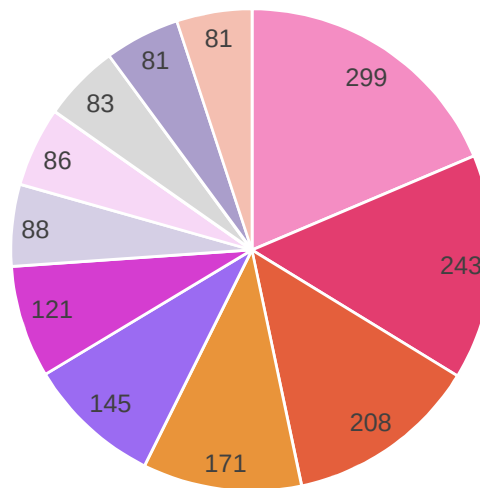


Fair Project Numbers



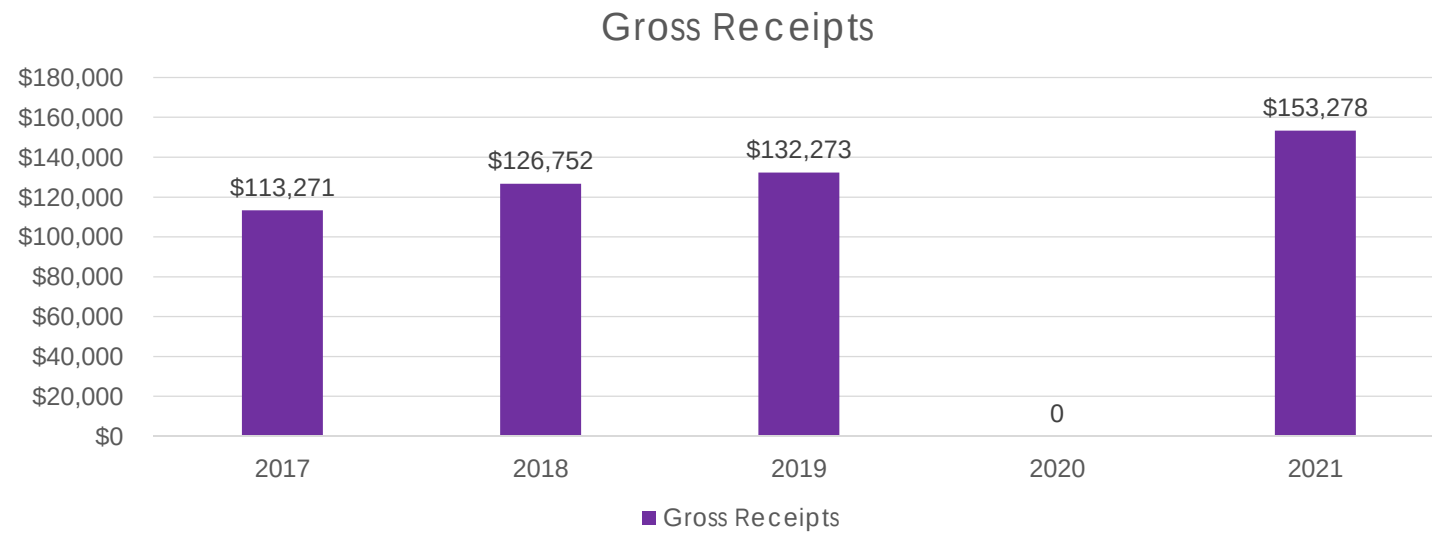
Distribution of Entries by Project

#Exhibits by Project

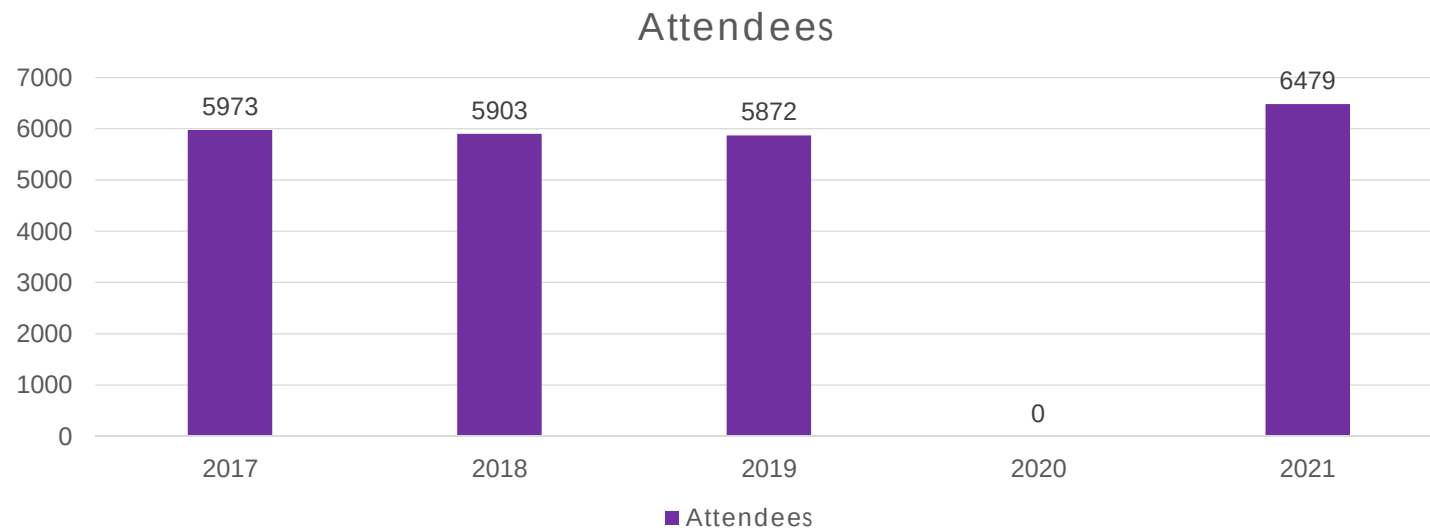


Photography Visual Arts Horse Foods Garden Swine Flowers Poultry Meat Goat Beef Fashion

History of Carnival Receipts



Kaw Valley Rodeo Attendance



Largest Thursday night attendance since 2014; largest Friday night attendance since 2013. No record breaking night any night; but overall, highest attendance in 15 years and previous?

The Future?

- u Speculation on fairgrounds being moved to another location in the future.
 - u New location with more space and buildings to host more, larger events.
- u Parking is an issue. Gravel parking lot south of Bishop Stadium: can it be paved?
- u With no increases in dollars for the fair budget for the past several years, consider future growth of this event.
- u Some services, such as parking, we will hire help next year instead of depending on volunteers.





COUNTY CLERK & ELECTIONS
Purchase

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

COMMISSION AGENDA REPORT

FROM: Alice Massimi - Public Information Officer
MEETING: August 19, 2021
SUBJECT: Archive Social
PRESENTER: Alice Massimi - Public Information Officer

BACKGROUND

Riley County currently has close to 20 social media accounts. Some of these accounts are more active than others. With more communication moving to various social media platforms and the content we create on social media falling under KORA, we must monitor these sites and archive the content. Unfortunately, this is not a service provided or guaranteed by any social platforms, so the onus falls to the content creator.

Archive Social is used by government entities throughout the United States, including some in Kansas such as the City of Manhattan, Saline County, City of McPherson and Moundridge.

Archive Social would actively monitor and capture content on our social media platforms. This would include deleted or edited comments.

If specific content were requested under KORA, we could produce the information in a much shorter time frame. If we do not have Archive Social, it could take weeks.

DISCUSSION

While it is not mandated to have an organization such as this to archive our social media, it protects Riley County from possible litigation over social media content. It also ensures that it would be easy to locate and produce if an open records request was made for specific content. Without Archive Social, it will be a tedious process and one that would not guarantee the requested content could be produced.

FISCAL IMPACT

Annually this will cost \$2,988.00. There are no additional costs unless it is decided to upgrade the services. At this time, the Economy package meets Riley County's needs. This amount will be prorated to align with our fiscal year.

RECOMMENDATION(S)

I recommend the County Commission approve the social media service with Archive Social.

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:

- ArchiveSocial Cloud Questionnaire (PDF)

ArchiveSocial Cloud Questionnaire

I. Data Storage & Protection

A. Where will the data be stored (geographical locations)?

- We utilize Amazon Web Services. Data is stored across multiple geographic data centers, which are all located in the United States.

B. What encryption methods are used to secure the data? What type of encryption level and authentication protocol is available?

- 256-bit AES data encryption. All web traffic is encrypted via SSL.

C. Are there any guarantees to protect our data against leaks?

- Our product technology is implemented according to industry best practices to prevent unauthorized access, injection attacks, cross-site scripting, and request forgery. At the core of our product architecture is a strict access control model that restricts data access to authenticated administrators only.
- Our data center (Amazon) is SAS 70 Type II compliant, SSAE16 certified, and FISMA (Moderate) compliant to safeguard customer data. Amazon's full certifications and accreditations are available here: <http://aws.amazon.com/security>

D. Who can access our data in the data center?

- Per Amazon's security processes (<http://aws.amazon.com/articles/1697>): Amazon only provides data center access and information to employees who have a legitimate business need for such privileges. When an employee no longer has a business need for these privileges, his or her access is immediately revoked, even if they continue to be an employee of Amazon or Amazon Web Services. All physical and electronic access to data centers by Amazon employees is logged and audited routinely.

E. How does the provider regulate access to the data and keep it secure.

- See above for information provided by Amazon.

F. In what formats is the data stored?

- We preserve the data in two key formats: 1) The raw, authentic format provided by the social network itself. This format tends to be XML or JSON. 2) In our own normalized formats.

G. Can those formats be easily convertible to the data storage format we use in-house?

- Yes

H. How often are backups scheduled?

- We utilize Amazon RDS for customer data, which provides automated backup and point-in-time recovery to the second precision. Furthermore, we perform full database backups daily.

I. Does the provider use any kind of RAID architecture to improve reliability?

- Yes. All automated backups and full backups are stored in Amazon S3, which provides 99.999999999% durability.

J. How does the provider sanitize the storage when we terminate the service (for active data sets, backups and snapshots)?

- We provide a 30 day window for the customer to export their data. After that window, we fully purge the customer data set from our active data sets.

K. What is the vendor's disaster recovery strategy? Are multiple copies of our data stored in different geographic locations just in case the system goes down?

- Yes, copies of data are stored in S3 across multiple geographic data centers.

II. Performance and scaling

A. What are the specifications of the discs, RAM and processors used in the servers?

- Since we are based on cloud infrastructure, we are able to provision additional computing resources and storage as needed.

B. Do they use SSDs, flash devices or optimization techniques to improve performance?

- Currently, no, because it is not necessary. We are able to utilize Amazon's provisioned IOPS capability if I/O performance becomes an issue in the future.

C. What is the maximum bandwidth offered?

- N/A

D. Are your data buses and discs shared with other users?

- This is possible since cloud infrastructure is typically implemented via virtualized hardware. Amazon's security policies and procedures ensure that customer data remains isolated.

E. How quickly can you add computing resources when needed?

- Within minutes. We are continually working to develop our internal procedures to automate this process as much as possible.

F. What are the performance guarantees offered in the SLA?

- Our goal is to ensure 99.9% availability of the service.

III. Support

A. Is emergency support available 24/7?

- Standard support is available 8am to 5pm during normal business days (typically Monday through Friday), as per our Enterprise License Agreement.

B. What kind of support channels are available (phone hotline/email/Web-based chat)?

- Phone, email, web-based chat

C. What type of problems can the customer help desk resolve?

- Issues and questions related to the usage and operation of ArchiveSocial.

D. Does the provider have an extensive KB (knowledge base) to help staff handle simple issues?

- Yes

IV. Security

A. Physical and personnel security

- Providers must ensure that physical machines are adequately secure and that access to these machines as well as all relevant customer data is not only restricted but that access is documented.

How do you accomplish this?

- Please see Amazon's certifications and procedures as discussed above.

C. Application security

Cloud providers must ensure that applications available as a service via the cloud are secure by implementing testing and acceptance procedures for outsourced or packaged application code. It also requires application security measures be in place in the production environment.

How do you accomplish this?

- As discussed in Section II C, our solution is built upon a strict access control architecture. Furthermore, we leverage existing security frameworks and perform our own internal testing to protect against security vulnerabilities.

D. Security Certifications

Cloud providers shall hold ISO 27001 for security controls or SAS 70 Type II audits for physical security.

List the certifications do you hold.

- <http://aws.amazon.com/security/#certifications>

VI. Incident Response

A. How is the provider going to respond to an incident before one happens? What are your processes, procedures, roles and responsibilities in the event of a critical incident, or even non-critical? How are you going to handle attack verification, analysis, containment, data collection, preservation, remediation and restoration?

- We have processes in place to proactively provision and deprovision cloud resources in order to prevent anticipated issues, and to contain issues that occur. In the event of an

attack or security risk, we are able to temporarily shutdown external access to all production servers.