



**Board of Riley County  
Commissioners  
Regular Meeting  
Minutes  
November 16, 2023**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**9:00 AM**

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

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

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

**9:00 AM**

**Call to Order**

| Attendee Name     | Title                                          | Status  | Arrived  |
|-------------------|------------------------------------------------|---------|----------|
| John Ford         | County Commissioner                            | Present | 9:00 AM  |
| Kathryn Focke     | County Commissioner                            | Present | 9:00 AM  |
| Greg McKinley     | County Commissioner                            | Present | 9:00 AM  |
| Rich Vargo        | County Clerk                                   | Present | 9:00 AM  |
| Clancy Holeman    | Counselor/Director of Administrative Services  | Present | 9:00 AM  |
| Evan McMillan     | Assistant County Engineer                      | Present | 9:00 AM  |
| Vivienne Leyva    | PIO                                            | Present | 9:00 AM  |
| Shelley Woodard   | Deputy County Counselor                        | Present | 9:00 AM  |
| Brittany Phillips | Budget and Finance Officer                     | Present | 9:00 AM  |
| Michele Reid      | Payroll, Benefits & Employee Relations Manager | Present | 9:05 AM  |
| Anna Burson       | County Appraiser                               | Present | 9:11 AM  |
| Susan Boller      | Elections Manager/Deputy County Clerk          | Present | 9:41 AM  |
| Anita Cook        | Elections Senior Analyst                       | Present | 9:41 AM  |
| Keirsten Cragg    | Administrative Assistant I                     | Present | 9:41 AM  |
| Annaliese Trout   | Elections Account Clerk                        | Present | 9:41 AM  |
| Gary Fike         | County Extension Director                      | Present | 9:47 AM  |
| Brandon Peoples   | KMAN                                           | Present | 9:50 AM  |
| David Adams       | EMS/Ambulance Director                         | Present | 10:10 AM |
| John Ellermann    | Public Works Director/County Engineer          | Present | 10:16 AM |
| Lori Muir         | Real Estate Specialist                         | Present | 11:04 AM |
| Ralph Barnes      | 7287 Blue Spruce Lane                          | Present | 11:05 AM |
| Ryan Lynch        | 2990 Keats Avenue                              | Present | 11:05 AM |
| Anette McClellan  | 7203 Neef Drive                                | Present | 11:05 AM |
| Denise Fangman    | 2920 Keats Avenue                              | Present | 11:05    |

|                        |                        |         |          |
|------------------------|------------------------|---------|----------|
|                        |                        |         | AM       |
| Sue Bozarth            | 2955 Keats Avenue      | Present | 11:05 AM |
| Karen Dillon           | 7612 Anderson          | Present | 11:05 AM |
| Stan Schurle           | 8500 Anderson          | Present | 11:05 AM |
| Arthur Vaughan         | 7213 Neef Drive        | Present | 11:05 AM |
| Gloria Freeland        | 7213 Neef Drive        | Present | 11:05 AM |
| Rebecca Mosier         | 6405 White's Road      | Present | 11:05 AM |
| Kristin and Aaron Holt | 7211 Neef Drive        | Present | 11:05 AM |
| Jeff Schurle           | 8390 Silver Spur       | Present | 11:05 AM |
| Keith Backensto        | 7251 Angelia's Way     | Present | 11:05 AM |
| Joan Wallace           | 7251 Angelia's Way     | Present | 11:05 AM |
| Erin Backensto         | 7251 Angelia's Way     | Present | 11:05 AM |
| Mary Jo Montague       | 3082 Keats Avenue      | Present | 11:05 AM |
| Mark Pretz             | Pottawatomie County    | Present | 11:05 AM |
| Angie Marden           | 3080 Chapman Lane      | Present | 11:05 AM |
| Donald Goff            | 7349 Anderson Avenue   | Present | 11:05 AM |
| Amy West               | 3070 Reservation Drive | Present | 11:05 AM |
| Mark and Jane Small    | 7230 Blue Spruce Lane  | Present | 11:05 AM |
| Andy & Carmen Thurlow  | 3320 Kitten Creek Road | Present | 11:05 AM |
| Trey and Anne Bryant   | 3096 Reservation Drive | Present | 11:05 AM |
| Austin Black           | 2997 Keats Avenue      | Present | 11:05 AM |
| Marcella Goeken        | 7224 Anderson Avenue   | Present | 11:05 AM |
| Wayne Goff             | 6128 Anderson Avenue   | Present | 11:05 AM |
| Anne Sisley            | 3096 Reservation Drive | Present | 11:05 AM |

|                 |                                 |         |          |
|-----------------|---------------------------------|---------|----------|
| Becky Goff      | 2950 Keats Avenue               | Present | 11:05 AM |
| Rep Lewis Bloom | 1901 Frontier Road, Clay Center | Present | 11:05 AM |
| Brian Foster    | BG Consultants                  | Present | 11:05 AM |
| Andrew Fagan    | BG Consultants                  | Present | 11:05 AM |
| June Campbell   | 3199 Keats Avenue               | Present | 11:05 AM |
| Mark Cox        | 3200 Keats Avenue               | Present | 11:05 AM |
| Mark Walters    | 8418 Richards Road, Lenexa      | Present | 11:05 AM |
| Dale Walters    | 3197 Reservation Drive          | Present | 11:05 AM |

### **Pledge of Allegiance**

### **Public Comment**

1. Public Comments

### **Commission Comments**

2. Commission Comments

Focke's Comments:

Monday afternoon I attended and chaired the County Officials Luncheon and meeting at the Commission Chambers. Russell Stukey reported on the “Kansas All-Hazard Incident Support Program” for the State of Kansas. He discussed the state-wide cooperation effort in cases of disasters in the regions.

Also discussed was strategic planning for the county office spaces. No direction or decisions were made.

Tuesday, I had a medical procedure that had some side effects, and I didn’t feel well most of the day and didn’t get much done except phone calls and review of documents for today’s meeting.

Wednesday I spoke with some residents of Keats about the community

meeting that was held this week and the public meeting to be held today. I came into the office for several things, including a short time with Amanda Webb, Shelley Woodard, and Clancy Holeman and had a meeting with several residents of Keats.

That evening I practiced with the Bell Choir for Sunday's performance.

**Ford's Comments:**

Monday afternoon I attended the quarterly County Officials Luncheon here in the Commission Chambers with department heads and staff. Got an update on Incident Command Response from Russel Stuke which was quite informative, and I may refer back to that myself at some point in time. We also took the remaining time to discuss county space and needs and strategic planning moving forward into 2024. Had a very good dialog and hope that transitions well moving forward.

Also Monday afternoon I met with John Armbrust former Director of the Governor's Military Council to discuss the Ogden project and how it will work with DCIP funding and how the Governor's Council may be of assistance in that process, and we also discussed the Riley County Road and Bridge Advisory Board that he also currently sits on.

Wednesday I attended the November meeting of the Flint Hills Metropolitan Planning Organization at the Manhattan Public Library. Some of the items of discussion were updates for MPO and KDOT staff, updates on the SRTS, the local EV Readiness Plan and dialog with the IRS on the 2020 budget year. We approved the COLA for the 2024 fiscal year, the 2024 Unified Planning Work Program as required by the state, several approvals to the Operations Manual including adding Juneteenth as an official holiday, and lastly we approved the letter for the 2022 Audit Report. We also had an executive session for approval of some back pay for the Planning Manager position to complete the meeting.

Thursday morning I attended Good Morning Manhattan hosted by the Manhattan Area Chamber of Commerce at the Four Points by Sheraton. Guest speaker was Riley County Appraiser Anna Burson. She gave a very in-depth presentation on the ends and outs of the appraising process and what they do here at Riley County.

**McKinley's Comments:**

Monday we had the County Officials Luncheon. We discussed forming an incident support team. The big discussion was on strategic planning. How the plans could be developed and would results be moved forward

or just set on a shelf. More discussion will be coming on this.

Monday afternoon I watched my granddaughter's basketball games. Very close games with Emporia. The A team lost by 2 and the B team won by 1 in overtime.

Monday evening we went to the K-State men's basketball game. Several of the freshmen really stepped up and it will be an exciting season.

Tuesday was when the Flint Hills Veterans had an after-action report meeting for the parade. There were things brought up that can be revised but overall it was a big success.

Wednesday was the Juvenile Detention Facility meeting. The last two meetings had been very contentious. This one had a lot of discussion about issues instead of arguing. A lot of questions brought up in the past were resolved and the board is now working together again.

### **Business Meeting**

3. Fancy Creek Rd Bridge Replacement Project No. K.0-6.2

Move to sign and approve the Contract Agreement with Reece Construction Co., Inc. for the Fancy Creek Road Bridge Replacement Project No. K.0-6.2 in the amount of \$361,981.98.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

4. Intergovernmental Luncheon topics and attendees

No items.

Ford will not attend.

5. Approve payroll/accounts payables (when completed)

Move to approve the payroll vouchers in the amount of \$691,683.48 and the following warrant vouchers for November 17, 2023:

### **2022 Budget**

|                           |              |
|---------------------------|--------------|
| Capital Improvements Fund | \$234,021.00 |
| TOTAL. . . . .            | \$234,021.00 |

**2023 Budget**

|                           |                |
|---------------------------|----------------|
| County General            | \$721,585.98   |
| Disaster Fund             | 53,121.12      |
| Health Department         | 83,804.22      |
| Court Services            | 175.00         |
| County Auction            | 210.01         |
| Motor Vehicle Operations  | 13.23          |
| Community Corrections     | 27,134.16      |
| Capital Improvements Fund | 5,855.00       |
| Emergency 911             | 2,532.01       |
| Solid Waste               | 232,180.43     |
| County Building           | 13,759.04      |
| Road & Bridge Cap Project | 13,102.76      |
| RCPD Levy/Op              | 24,852.67      |
| Landfill Closure          | 819.19         |
| Riley Co Fire Dist #1     | 38,529.30      |
| University Park W&S       | 3,315.66       |
| Hunters Island Water Dist | 99.22          |
| Deep Creek Sewer          | 6.34           |
| Moehlman Bottoms          | 46.18          |
| Terra Heights Sewer       | 13.25          |
| Konza Water Operations    | 520.56         |
| Lakeside Heights Sewer    | 1.73           |
| High Plains Ranch-Ben Dis | 445.63         |
| TOTAL. . . . .            | \$1,222,122.69 |

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**Review Minutes**

6. Board of Riley County Commissioners - Regular Meeting - Nov 13, 2023 8:30 AM

Move to approve the minutes.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

### **Review Tentative Agenda**

7. Tentative Agenda

### **Press Conference Topics**

8. Discuss Press Conference

**9:30 AM**

### **Clancy Holeman, Counselor/Director of Administrative Services**

9. Administrative Work Session

Holeman discussed the District Court appeal involving the preliminary and final development plan for the Liquid Art Winery. Holeman stated Riley County's position was upheld. Holeman said an appeal was filed yesterday.

Holeman discussed Riley County's appeal on the First Christian Church Building in Lyon County District Court.

Holeman said he is working on performance reviews.

Holeman stated he has been working on personnel matters, contracts, and many other projects.

**9:50 AM**

### **Canvass for General Election**

10. Procedures for Canvass of Ballots

Vargo reviewed the Procedures for the Canvass of Ballots.

Boller presented the 2023 City/School General Election Results and Provisional Ballots.

Move the Board of County Canvassers approve the 2023 City/School General Election Results and Provisional Ballots.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**10:00 AM Gary Fike, County Extension Director**

11. Extension Staff Report

Fike presented an Extension staff update.

**10:15 AM Julie Gibbs, Health Department Director**

12. Out of State Travel Request for Julie Gibbs

Move to approve the Out of State Travel Request for Julie Gibbs to attend the PHAB Center for Innovation 21C Community Convening in Sante Fe, New Mexico at no cost to the county. Julie Gibbs is a state representative for health departments. This will be paid for through PHAB.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**10:25 AM David Adams, EMS/Ambulance Director**

13. EMS/Ambulance Staff Update

Adams presented the EMS/Ambulance staff update.

**10:50 AM Kevin Larson, Riley County Council on Aging**

14. Riley County Council on Aging update

No report.

11:05 AM

**Shelley Woodard, Deputy County Counselor**

## 15. Keats Sewer Project Feasibility Public Hearing

Woodard said the Keats Sewer Project Feasibility Public Hearing is due to the increased cost estimate which increased in excess of 10%.

Focke said our next item on the agenda is a public hearing. Focke stated the public hearing will go until noon today. To make the best possible use of the time scheduled for the hearing today, it is important you understand the following rules will be followed.

1. The only issue for decision by this Board today is whether or not the Keats Sewer District project is feasible, since its costs have increased by more than 10%.

No other issues about the project are before this Board during today's hearing.

2. To speak to the Board today, you must be first be recognized by me as Chairwoman. Once you are recognized, please go to the podium, and state your name and address. Please tell us whether you live in the Keats Sewer District or own real property in the Keats Sewer District.
3. Each speaker at the podium will be entitled to up to 3 minutes to give your input on whether the Keats Sewer District project is feasible or not now that its costs have increased more than 10%.
4. To give as many people as possible the chance to speak today, please try not to repeat statements already made by a previous speaker.
5. If you have come with a group of friends with a common opinion, please designate one of your group to step to the podium and speak for your group, if possible.
6. Your 3 minutes at the podium will be timed, so please wrap up your remarks if you are told your 3 minutes are up.

Focke opened the Public Hearing.

West, within the district, discussed the cost of her potential assessment as compared to the value of her home. West discussed the local Keats meeting discussing the project. West stated the cost of the project is too high. West suggested continuing the project with more collaboration with Riley County. West stated many believe the project is essential for the community.

Lynch, Keats resident, stated he owns 5 homes in Keats. Lynch discussed the increased cost projections. Lynch discussed other local communities which pay less for more services.

Cox, Keats resident, said it will cause his neighbor to have to move and he will also not be able to remain in Keats.

Bozarth, Keats resident, stated up until a week ago she did not know she was part of the district. Bozarth said she was originally told they were not part of the district.

McClellan inherited a house in Keats. She said she has no clue if she can sell it or do anything with a nice house on nice property. McClellan stated she does not understand why sewer service is not available.

Fangman, Keats resident, stated her and her husband do not wish to continue with the project due to cost.

Holt, Keats resident, said he and his wife see this as a solution. Holt stated the cost is high, but it is a solution to help them keep their house.

Marden, Keats resident, discussed the families of the area not being able to pay their students' lunch bill, residents donating plasma, using food harvesters, and struggling with other costs. Marden stated this cost would force many from their homes.

Small, Keats resident, said he has been flooded three times at his residence. Small said he believes the location of the proposed lagoon caused the cost to be high. Small stated if this proceeds the town will die due to high cost.

Bryant, Keats resident, stated he and his wife just moved in two months ago and just became aware of the potential assessment for the project. Bryant discussed the risk of anyone of our systems failing causing them to lose their house. Bryant asked to find a more cost-effective solution. Bryant said low to moderate income residents are being asked to pay for the project. Bryant said he is in favor of a sewer system.

A. Thurlow, Keats resident, stated there has been very poor communication and the numbers have varied greatly. Thurlow said many have been included in the district which do not need to be included.

Mosier, who owns property next to Keats, asked the Board if they have looked into small lot systems which are used in other states. Mosier said they cost \$7,000 per unit. Mosier asked the Board to look at every option.

C. Thurlow, Keats resident, asked for another income survey to be conducted. Thurlow also asked to see who really needs the project which may make it more affordable.

Black, Keats resident, said he is disappointed in the commission wanting to continue this without knowing the total burden to the residents. Black stated if we cannot get to under \$80/month it is not affordable. Black said he is okay with the project, but they need an affordable amount.

Freeland, Keats resident, thanked the Board for the work they have done. Freeland stated there is a shared lack of communication with the Board and community. Freeland suggested other options for funding. Freeland said she would like to continue the project.

Focke closed the Public Hearing.

Ford asked about small systems and what are the complications.

Woodard stated small systems reviewed will not be approved by KDHE.

Foster, BG Consultants Engineer, stated KDHE does not permit the current systems in Keats. Foster said the current individual systems are permitted through Riley County. Foster stated any discharge system has to be permitted by KDHE.

Focke asked about the increase in cost and how they may change.

Woodard said we would not have final numbers until the project is complete. Woodard stated the application has been submitted to USDA but we will not know of any award until they have project details.

Focke asked about the timelines.

Foster said the timelines are due to KDHE deadlines and the current income survey is within the guidelines.

Vargo discussed potential funding from KDHE for 50% of the cost. Vargo said Riley County has committed \$800,000 in federal funding for the project which has to be spent by 2026.

Ford stated the project does not seem feasible.

McKinley said people have discussed the varying cost but they are impacted by grants available and increasing construction costs. McKinley suggested keeping it going for six months to see if we

qualify for grants. McKinley stated the small cities costs were converted systems in which they only had to add a lagoon and the house hookups were already there.

Focke agreed with continuing the project.

Foster discussed if a grant is obtained from USDA a letter of commitment would need to be signed.

Foster said we need to solidify our project and pick a location so the location can be analyzed for environmental reviews. Foster stated final design would then be completed. Foster said it would take a year of design and a year of construction.

Move the Keats Sewer Project is still feasible when taking the estimated cost increases into account.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [2 TO 1]</b>            |
| <b>MOVER:</b>    | Greg McKinley, County Commissioner |
| <b>SECONDER:</b> | Kathryn Focke, County Commissioner |
| <b>AYES:</b>     | Focke, McKinley                    |
| <b>NAYS:</b>     | Ford                               |

### Adjournment

Move to adjourn after the Joint City/County/County Meeting at 4:00 p.m. at City Offices.

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | John Ford, County Commissioner     |
| <b>SECONDER:</b> | Greg McKinley, County Commissioner |
| <b>AYES:</b>     | Ford, Focke, McKinley              |

**4:00 PM**

### Joint City/County/County Meeting (at City Offices)

16. City/County/County Meeting Agenda

The Board attended the Joint City/County/County meeting.