



**Board of Riley County
Commissioners
Regular Meeting
Minutes
November 30, 2023**

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

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

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

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

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

8:30 AM

Call to Order

Attendee Name	Title	Status	Arrived
John Ford	County Commissioner	Present	8:30 AM
Kathryn Focke	County Commissioner	Present	8:30 AM
Greg McKinley	County Commissioner	Present	8:30 AM
Rich Vargo	County Clerk	Present	8:30 AM
Clancy Holeman	Counselor/Director of Administrative Services	Present	8:30 AM
Evan McMillan	Assistant County Engineer	Present	8:30 AM
Anna Burson	County Appraiser	Present	8:30 AM
Brittany Phillips	Budget and Finance Officer	Present	8:32 AM
Michele Reid	Payroll, Benefits & Employee Relations Manager	Present	8:33 AM
Shelley Woodard	Deputy County Counselor	Present	8:45 AM
Tom Orazam	RWD#1	Present	9:00 AM
Amanda Webb	Planning/Special Projects Director	Present	9:30 AM
John Ellermann	Public Works Director/County Engineer	Present	9:30 AM
Jared Brooks		Present	9:30 AM
Russel Stukey	Emergency Management Director	Present	9:55 AM
Barry Wilkerson	County Attorney	Present	9:59 AM

Pledge of Allegiance

Public Comment

1. Public Comments

McMillan reported the Fancy Creek Bridge Project will begin Monday, December 4, 2023.

Commission Comments

2. Commission Comments

Focke's Comments:

Monday afternoon I had a meeting with Team Keats for a group update on the progress of the Keats wastewater system.

Tuesday I took my daughter to the KCI airport for her return trip to Virginia. On the way home, I stopped into the office to pick up some paperwork for the meeting on Wednesday. I also met with Shelley Woodard on a possible grant application through the state.

Wednesday morning I met with Brian Foster and two family members of the Keats property owner at BG Consultants office. Brian answered a lot of the questions and concerns about the proposed project that they had. It was a good discussion.

After the meeting, I met with Clancy Holeman and Shelley Woodard in their office to update them on the conversation.

That afternoon, I reviewed the agenda and documents for today's meeting and reviewed two department head evaluations to be held this morning.

Wednesday evening I attended bell practice at my church.

Ford's Comments:

Monday afternoon post BOCC which I attended via Zoom I met with Hardin County, Kentucky Judge/Executive Keith Taul to discuss county related challenges and to see what all is going on back home in Hardin County. We chatted for nearly two hours and the dialog was very informative. It was good to see there are some challenges that are the same and some that are not, but overall the path there for their county is really in good shape. I was very appreciative of the time spent and for the hospitality provided while I was there. Hardin County is truly in good hands for the future.

Tuesday I made the trip back home from Kentucky from the Thanksgiving holiday. I got back late afternoon and got settled back in and unpacked. I went back to work on Wednesday.

Speaking of Wednesday I did spend some time late afternoon early evening catching up here at the office on correspondence and getting ahead of department head evaluations.

McKinley's Comments:

Tuesday I met with Jeff Schurle and Karen Dillon about the Keats sewer project. They had a list of questions that we went over. Afterwards I talked to Shelley Woodard about the meeting.

Went to the K-State men's basketball game. A very exciting game. Oral Roberts had a point guard we need in the transfer portal next year.

Spent a lot of time going over stuff for today's meeting.

Business Meeting

3. Highway Use Permit, Carly Construction Company Inc

Move to approve the Highway Use Permit granting Carley Construction Company, Inc. permission to bore new water and sewer service under Stagg Hill Road.

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

4. Riley County On-Call Agreement with Bruce McMillan AIA Architects, P.A.

Move to approve the Agreement with Bruce McMillan AIA Architects P.A. for On-Call Services for Riley County for Riley County projects, not to exceed the budgeted amount of \$10,000 unless approved by Riley County.

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

5. Sign Riley County Employee Action Form(s)

The Board of County Commissioners signed a Riley County Personnel Action Form for Mary Schomaker, a new hire, as an IT Specialist, in the IT/GIS Department, at a Range 12, at \$29.30 per hour.

6. Approve payroll/accounts payables (when completed)

Move to approve the payroll vouchers in the amount of \$712,828.10

and the following warrant vouchers for December 1, 2023:

2023 Budget

County General	\$450,476.51
Disaster Fund	8,604.16
Health Department	76,020.71
21 st Distr Adult Drug Crt	256.39
War Memorial	660.00
Motor Vehicle Operations	1,009.50
Community Corrections	12,889.40
Emergency 911	5,024.60
Solid Waste	5,463.06
County Building	7,365.24
Road & Bridge Cap Project	140,056.03
RCPD Levy/Op	1,250,904.00
Riley Co Fire Dist #1	19,393.80
Fire Dist Projects	2,091.00
University Park W&S	3,943.15
Hunters Island Water Dist	2,495.79
Carson Sewer Benefit Dist	274.68
Deep Creek Sewer	286.20
Moehlman Bottoms	983.61
Valleywood Operations	1,673.96
Terra Heights Sewer	766.41
Konza Water Operations	6,305.27
Lakeside Heights Sewer	75.37
University Park Lagoon	4,946.00
 TOTAL.	 \$2,001,964.84

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

Review Minutes

7. Board of Riley County Commissioners - Regular Meeting - Nov 27, 2023 8:30 AM

Move to approve the minutes.

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

AYES:	Ford, Focke, McKinley
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Review Tentative Agenda

8. Tentative Agenda

Press Conference Topics

9. Discuss Press Conference

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

10. Administrative Work Session

Holeman said he is glad to answer any questions of the Board.

9:20 AM Anna Burson, Appraiser

11. Appraiser's Office Staff Report

Burson presented the Appraiser's Office staff report.

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

12. KDHE Local Environmental Protection Program (LEPP) Grant discussion

Webb presented the LEPP grant application.

Webb recommended focusing on the wastewater only.

Move to approve the BOCC support the LEPP grant application and direct staff to proceed with providing KDHE a draft for review.

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

AYES:	Ford, Focke, McKinley
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9:55 AM

John Ellermann, Public Works Director/County Engineer and Tom Orazam, RWD#1

13. Rural Water District #1 New Water Tower Discussion

Brooks presented the request for the placement of a new Rural Water District #1 water tower on the County Shops property.

Brooks stated the north section, 200,000 gallon, water storage is inadequate. Brooks said their proposal is to add a new 300,000 gallon tank.

Brooks said they have contacted property owners about purchasing land for a water tower and have not found anyone willing to sell land for a water tower.

Focke asked if they are asking for an easement or to purchase the property.

Brooks said an easement.

Ellermann asked if it could be moved east or west of the location shown.

Brooks said it would be moved in the general area.

Move to approve an easement for Riley County Rural Water District to enter into to place their new water tower on County property next to the Parks Shop. The easement was not included yet since the exact site has not been determined.

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

10:15 AM

Barry Wilkerson, County Attorney

14. Request to Fill - Assistant County Attorney

Wilkerson presented the request to fill the Assistant County Attorney position.

Move to approve the posting and filling of the Assistant County

Attorney position.

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

The Board of County Commissioners signed a Riley County Position Action Form for an Assistant County Attorney-Sexual Assault Crimes, in the County Attorney's Office, at a Range FF.

10:25 AM Rich Vargo, County Clerk

15. Request to Fill Payroll Clerk Position

Vargo presented the request to fill the Payroll Clerk position.

Move to approve the posting and filling of the payroll clerk position.

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

The Board of County Commissioners signed a Riley County Position Action Form for a Payroll Clerk, in the Clerk's Office, at a Range 8.

10:35 AM Rich Vargo, County Clerk

10:35 AM 16. Executive session to discuss confidential legal advice regarding potential litigation issues

Move the County Commission, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, recess into executive session on potential litigation for the purpose of consultation with Shelley Woodard, Deputy County Counselor, and Clancy Holeman, County Counselor, attorneys for the commission, which would be deemed privileged in the attorney-client relationship, an exception to the Kansas Open Meetings Act, the open meeting to resume in the County Commission Chambers at 11:00 a.m. Also present during a portion of the executive session will be Rich Vargo, County Clerk; Amanda Webb, Planning/Special Projects Director; and Brittany

Phillips, Budget and Finance Officer.

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

11:00 AM

Move the Board of County Commissioners come out of executive session.

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

Move the record reflect action shall be taken consistent with the consensus reached in executive session.

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

11:00 AM

Executive Sessions to discuss department head evaluations

11:00 AM

17. Russel Stukey, Emergency Management Director

Move that the County Commission, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, with Elizabeth Ward, Human Resources Director, recess into executive session on a performance matter for non-elected personnel, an exception to the Kansas Open Meetings Act, for the purpose of a department head evaluation of Russel Stukey, Emergency Management Director, and to protect the privacy of employee, the open meeting to resume in the County Commission Chambers at 11:20 a.m.

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

11:20 AM

Move the Board of County Commissioners come out of executive session.

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

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

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

11:20 AM 18. John Ellermann, Public Works Director/County Engineer

Move that the County Commission, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, with Elizabeth Ward, Human Resources Director, recess into executive session on a performance matter for non-elected personnel, an exception to the Kansas Open Meetings Act, for the purpose of a department head evaluation of John Ellermann, Public Works Director/County Engineer, and to protect the privacy of employee, the open meeting to resume in the County Commission Chambers at 11:40 a.m.

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

11:40 AM Move the Board of County Commissioners come out of executive session.

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

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

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

AYES:	Ford, Focke, McKinley
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11:40 AM 19. Executive Session

Move the County Commission, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, along with Clancy Holeman, County Counselor, attorney for the Commission, recess into executive session pursuant to the non-elected personnel matters exception to the Kansas Open Meetings Act, and to protect the privacy of the employee, the open meeting to resume in the County Commission Chambers at 12:05 p.m.

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

12:05 PM Move the Board of County Commissioners come out of executive session.

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

Move the record reflect action shall be taken consistent with the consensus reached in executive session.

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

12:00 PM Lunch

Recessed for lunch.

1:30 PM Clancy Holeman, Counselor/Director of Administrative Services

1:30 PM 20. Executive session to discuss a performance matter involving non-elected personnel

Move the County Commission, including Chairwoman Focke, Vice Chairman Ford, and Commissioner McKinley, with Clancy Holeman, Riley County Counselor; Elizabeth Ward, Human Resources Director;

Michele Reid, Payroll & Benefits Specialist and HR Associate; and Anna Burson, Riley County Appraiser, recess into executive session on a performance matter of non-elected personnel, an exception to the Kansas Open Meetings Act, for the purpose of hearing the appeal of a disciplinary action, and to protect the privacy of the employee, the open meeting to resume in the County Commission Chambers at 2:45 p.m.

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

2:45 PM

Move the Board of County Commissioners come out of executive session.

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

Move the record reflect action shall be taken consistent with the consensus reached in executive session.

The County Commission approves the disciplinary action reviewed today in executive session and the County Counselor shall notify the parties.

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

2:47 PM

Adjournment

Move to adjourn.

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