



**Board of Riley County
Commissioners
Regular Meeting
Minutes
December 09, 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

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
Christian Bright	Manhattan Mercury	Present	8:31 AM
Tami Robison	Budget and Finance Officer	Present	8:34 AM
Elizabeth Ward	Human Resource Manager	Present	8:38 AM
Brenda Jordan		Present	8:43 AM
Sam Hennigh	KMAN	Present	9:02 AM
Russel Stukey	Emergency Management Director	Present	9:20 AM
Jason Smith	Chamber of Commerce	Present	9:45 AM
Janet Nichols	Chamber of Commerce	Present	9:45 AM
Julie Gibbs	Health Department Director	Present	10:00 AM
Amanda Smeller	Planning/Special Projects Director	Present	10:42 AM
Bob Isaac	Planner	Present	10:50 AM
Chad Bunger	City of Manhattan	Present	10:50 AM
Craig Cox	Deputy County Counselor	Present	10:45 AM
Alvin Perez	Public Works Operations/Fleet Manager	Present	11:25 AM
John Ellermann	Public Works Director/County Engineer	Present	11:25 AM
Evan McMillian	Assistant County Engineer	Present	11:29 AM

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Ford's Comments:

Monday afternoon I had my bi-monthly Community Leaders Zoom with K-State, City of Manhattan, Ascension Via Christi, Lafene Health Center, and the RCHD to continue the dialog on the local response and continued work on the Covid-19 front. The vaccination mandates, and the new Omicron variant were the center of the discussion, as well as recent numbers locally and continued policies that are in place. We are scheduled to meet again December 20th.

Tuesday afternoon I had my monthly meeting via Zoom with the Board of Directors with Pawnee Mental Health. Got an update on the budget during the finance committee meeting. Some of the items of discussion were the review of the Board of Conflict Disclosure and Statement, Results of the self-evaluation of the board, the appointing of a nominating committee, annual review of committee work, and establishment of CY 2022 standing board committees. We recognized resigning board members, member emeritus, and other Pawnee staff. Lastly, we also received an Executive Director's Report from Robbin Cole. The counties of the month for December were Pottawatomie and Cloud counties.

Wednesday afternoon I had my monthly Microsoft Teams call with the NACo Community, Economic & Workforce Development Committee. We had two presentations during the meeting. The first being from Michael Rapaport, President, Accion Opportunity Fund on they can help small businesses in counties survive and succeed. The last presenter was Shawn Milne, Economic Development Director of Cache County, Utah. He discussed the Arts and Culture industry and how it can be an economic driver for counties across the country. Lastly, Michael Matthews and Sarah Gilmont from NACo gave us a full U.S. Congress legislative update, which included NACo's legislative resource pages located on their website.

Also on Wednesday we had another Zoom call to discuss future efforts on the Aggieville Parking Garage. In all honesty not much has changed in terms of the dialog and there will be some things that will need to be revisited and discussed moving forward in future calls. We will meet again sometime after the beginning of year.

Watched K-State lose a nail biter at home versus Marquette 64-63, disappointing but not unusual I suppose. Let's hope for better results over the weekend.

McKinley's Comments:

Tuesday I came into the office and reviewed information we had received recently and cleaned out some paper stacks.

Wednesday I reviewed the notes for today's meeting and worked on department head evaluations.

Went to the K-State basketball last night.

Focke's Comments:

Tuesday in the morning, my electrician came to the house to do some electrical work. I attended a meeting of the Common Table in the afternoon with reports from all meals being served. Also did a consult on a kitchen renovation.

Wednesday I attended the quarterly meeting of the ATA board that included reports from staff, upcoming items, financials, and discussion of next year's meetings.

ATA was chosen for a tri-annual review (4 years) that should be done by July. There is no word yet on the KDOT grant.

Ridership of the "Loop" route was lower than anticipated.

Under the infrastructure bill, there will be annual increases for 5 years, including funding for rural areas, electric vehicles, etc. The largest increase will be in public transportation.

The mask mandate for drivers and riders will continue until March 18, 2022.

Business Meeting

3. Adoption of the Land Development Regulations.

Move to sign the Certificate of Adoption page, which will become a formal document page within the Land Development Regulations, Article 4 Zoning Districts.

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

4. A RESOLUTION OF RILEY COUNTY, KANSAS ESTABLISHING A RURAL ECONOMIC DEVELOPMENT ADVISORY BOARD FOR RILEY COUNTY STATING THE MEMBERSHIP, PURPOSE, FUNCTIONS AND POWERS

Move to approve "Resolution No. 120921-50, A Resolution of Riley County, Kansas establishing a Rural Economic Development Advisory Board for Riley County stating the membership, purpose, functions and powers."

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

5. Indigent 2022 Contracts

Move to approve Indigent 2022 Contracts with Chris Bailey and Chris Biggs.

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

6. Sign a Tax Roll Correction

Move to approve the Tax Roll Correction.

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

7. Retail Dealer's 2022 Cereal Malt Beverages Licenses for Dara's Fast Lane, 5321 Tuttle Creek Blvd. & Dara's Fast Lane, 1132 Pillsbury Drive

Move to sign Retail Dealer's 2022 Cereal Malt Beverages Licenses for Dara's Fast Lane, 5321 Tuttle Creek Blvd. & Dara's Fast Lane, 1132 Pillsbury Drive.

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

8. Sign Riley County Personnel Action Form(s)

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

- Anna Isem, a new hire, as a Child Care Surveyor I, in the Health Department, at a grade L step 1, at \$20.08 per hour.
- Nathan Henderson, a Contact Tracer, in the Health Department, for Separation from County Service, effective December 22, 2021.
- Jodie Grimes, an Account Clerk-License-Elections, in the Clerk Department, for Separation from County Service, effective December 31, 2021.
- Joe Godown, for a promotion, as an Appraiser I-Personal Property, in the Appraiser's Department, at a grade F step 3, at \$16.06 per hour.

Review Minutes

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

Move to approve the minutes.

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

Review Tentative Agenda

10. Tentative Agenda

Press Conference Topics

11. Discuss Press Conference

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

12. Administrative Work Session
13. Review and Approve Aggieville Substation RCPD Lease

Holeman presented the RCPD lease renewal agreement.

Move the Board authorize the Chairman to sign the Lease Renewal Agreement with GJL Real Estate Limited Partnership for RCPD's Aggieville Substation at 1113 Moro Street.

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

9:20 AM Russel Stukey, Emergency Management Director

14. Accept Firefighter recruitment and safety grant from the KS State Fire Marshal's Office.

Stukey presented the Firefighter Safety and Recruitment Grant acceptance.

Move to approve acceptance of State of KS Fire Marshal recruitment and safety grant in the amount of \$3,400 and direct Chief Stukey to sign appropriate documentation to complete grant process.

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

9:30 AM Shilo Heger, Treasurer

15. November 2021 Revenue Reporting - Riley County Treasurer

Heger presented the November Treasurer's report.

Heger said the Treasurer's Office would like to close to the public at 2:00 p.m. on Thursday, December 30, 2021.

The Board agreed with the request to close the Treasurer's Office on Thursday, December 30, 2021 at 2:00 p.m.

9:45 AM Jason Smith, Manhattan Area Chamber of Commerce

16. Economic development update

Nichols presented an update on Fort Riley activities.

Smith presented an economic development update.

10:00 AM Julie Gibbs, Health Department Director

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

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

17. Riley County Health Department Monthly Update

Gibbs presented the RCHD Monthly reports.

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

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

10:30 AM Budget and Planning Committee - Tami Robison, Budget and Finance Officer

18. Monthly Cash Flow Reports for November 2021

Robison presented the monthly cash flow reports.

10:50 AM Amanda Smeller, Planning/Special Projects Director

19. Replace the Manhattan Urban Area Subdivision Regulations being used by Riley County in the unincorporated areas of the Manhattan Urban Area with the subdivision standards and review standards in the “Manhattan Development Code” to remain compliant with the Interlocal Agreement.

Smeller presented the Manhattan Urban Area Subdivision Regulations.

McKinley asked if the City has any intention of expanding the Manhattan Urban area boundary, since in a couple of areas it is bumping up against the current boundary.

Bunger stated the boundary was last expanded in 2003. Bunger said yes the boundary may be expanded in the future.

Move to approve “Resolution No. 120921-51, A Resolution adopting new Subdivision Regulations for that portion of Riley County, Kansas, known as the Manhattan Urban Area, by incorporating by reference portions of that publication entitled “Manhattan Development Code”, particularly Article 26- 5. Subdivision Standards, Article 26-8. Procedures and Administration, and Article 26-9. Land Development Review, which regulations were developed by the Manhattan Urban Area Planning Board, pursuant to K.S.A. 12-749, et seq., and K.S.A. 12-3301, et seq.”

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

11:35 AM Craig Cox, Deputy County Counselor

20. High Plains Ranch Street Benefit District

Cox presented the High Plains Ranch Street Benefit District.

Cox said he has received notice from all nine property owners to their agreement with the formation of the street benefit district.

Move that the Board authorize the County Engineer to submit a petition creating High Plains Ranch Street Benefit District.

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

11:55 AM Rich Vargo, County Clerk

21. Request to Fill Account Clerk - Licenses/Elections position

Vargo presented the request to fill the Account Clerk-Licenses/Elections.

Move to approve recruiting to fill the position of Account Clerk - Licenses/Elections.

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

The Board of County Commissioners signed a Riley County Position Action Form for an Account Clerk-Licenses/Elections, in the Clerk Department, at a grade H.

Ford discussed his frustration with the Boys & Girls Club project being denied Tuesday at the City of Manhattan due to the Historical Preservation Alliance opposition. Ford stated the direction they are allowed to go does not allow progress. Ford said he has to question where we are going with this. Ford stated there is a balance, but we just cannot say no, no, no to everything. Ford said we cannot do what we need to do for the betterment of our community. Ford said there needs to be different focus for our community. Ford stated the current process seems spiteful. Ford said the City and County should not be able to be strong armed in these situations.

12:00 Focke left the meeting.

12:05 PM Lunch

1:15 PM Executive Sessions to discuss department head evaluations

1:15 PM 22. Amanda Smeller, Planning/Special Projects Director

Move the County Commission, including Chairman Ford and Commissioner McKinley, recess into executive session for the purpose of discussing a performance matter of non-elected personnel, an 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 1:45 p.m. Elizabeth Ward, Human Resource Manager, will be present to offer factual information.

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

1:45 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, McKinley
ABSENT:	Focke

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, McKinley
ABSENT:	Focke

1:45 PM 23. Shelly Williams, Community Corrections Director

Move the County Commission, including Chairman Ford and Commissioner McKinley, recess into executive session for the purpose

of discussing a performance matter of non-elected personnel, an 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 2:15 p.m. Elizabeth Ward, Human Resource Manager, will be present to offer factual information.

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

2:15 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, McKinley
ABSENT:	Focke

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, McKinley
ABSENT:	Focke

2:15 PM

24. Michael Boller, Noxious Weed Director

Move the County Commission, including Chairman Ford and Commissioner McKinley, recess into executive session for the purpose of discussing a performance matter of non-elected personnel, an 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 2:45 p.m. Elizabeth Ward, Human Resource Manager, will be present to offer factual information.

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

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, McKinley
ABSENT:	Focke

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, McKinley
ABSENT:	Focke

2:45 PM

25. John Ellermann, Public Works Director/County Engineer

Move the County Commission, including Chairman Ford and Commissioner McKinley, recess into executive session for the purpose of discussing a performance matter of non-elected personnel, an 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 3:15 p.m. Elizabeth Ward, Human Resource Manager, will be present to offer factual information.

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

3:15 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, McKinley
ABSENT:	Focke

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, McKinley
ABSENT:	Focke

Adjournment

Move to adjourn.

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