

Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.
Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email clerk@bartoncounty.org
Requests to be made pursuant to the Kansas Open Records Act and County Policy. Estimated cost of disk – Five Dollars (\$5.00).

September 6, 2016

The Board of Barton County Commissioners convened this 6th day of September 2016, at the Barton County Courthouse.

Members present:

Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)
Homer Kruckenberg, Commissioner, 2nd District
Alicia Straub, Commissioner, 4th District
Jennifer Schartz, Commissioner, 5th District
Donna Zimmerman, County Clerk
Richard Boeckman, County Counselor/Administrator

Members absent:

Don Davis, Commissioner, 3rd District, Chairman

I. OPENING BUSINESS:

Commissioner Schremmer called the meeting to order at 9:00 A.M.

Commissioner Schartz moved to approve the agenda.
Commissioner Kruckenberg seconded the motion.
All voted aye. Motion passed.

Commissioner Schartz moved to approve the minutes of the August 29, 2016 Regular Meeting.
Commissioner Straub seconded the motion.
All voted aye. Motion passed.

II. APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of August 22, 2016, and ending September 6, 2016.

Commissioner Schartz moved to approve appropriations for the period of August 22, 2016, to September 6, 2016 and authorize the Chairman to sign on behalf of the Commission.
Commissioner Straub seconded the motion.
All voted aye. Motion passed.

III. OLD BUSINESS:

There was no old business.

IV. NEW BUSINESS:

A. EMPLOYEE RECOGNITION AWARD: Diana Watson, Administrative Assistant, Administrator's Office, Employee of the Quarter:

-The Employee Relations Committee (ERC) recommends outstanding individuals for the "Employee Recognition Award". At this time, the Commission will be asked to recognize Diana Watson, Administrator's Office. Watson was nominated for her work with the Golden Belt Veterans Memorial.

Wendy Birzer, ERC President, presented the award and noted Bj Wooding nominated Diana Watson primarily for all of her work on the Veteran's Memorial Stones at the Golden Belt Cemetery. Wooding noted Watson has visited with over 750 veterans or their families and recorded over 1040 lines of information to be engraved on the Memorial stones.

Commissioner Schremmer said the nomination was overdue and commended Watson for her work.

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Commissioner Straub moved to join the ERC in presenting Diana Watson with the Employee Recognition Award.
Commissioner Schartz seconded the motion.
All voted aye. Motion passed.

B. BARTON COUNTY EMPLOYEE HANDBOOK: Proposed Update – Section 315, Employee Service Pins:

-As prices continue to rise for items selected for Service Awards, the Employee Relations Committee has asked for a review of the policies. In particular, the ERC is interested in aligning the cost of items to today's pricing. At the same time, it is suggested that the Employee Handbook policy be updated as well. This includes the section name and task assignments.

Wendy Birzer, ERC President, said the ERC proposed a change to the handbook regarding retirees. Birzer said they would create a list of gifts to choose from in the \$100 range and a \$40 allotment for a retirement reception should the retiree choose to have one. Birzer said the ERC looked at the number of retirees the past four years and averaged the costs and noted the projected cost per year would be around \$560.

Commissioner Schartz moved to approve the Barton County Employee Handbook revisions as follows:

Table of Contents	Updated for New Policies
315, EMPLOYEE SERVICE AWARDS	Name change, task assignments
315.2 EMPLOYEE RETIREMENT AWARDS	New Policy
315.3 RETIREMENT DOCUMENTATION FORM	Form for tracking
Revisions Section	

and direct the County Administrator's Office to notify employees of the updates as described by policy to include the revised Barton County Employee Handbook on the Employee Section of the County's website.

Commissioner Kruckenberg seconded the motion.
All voted aye. Motion passed.

C. BARTON COUNTY EMPLOYEE HANDBOOK: Proposed Update – Employee Retirement Awards:

-The ERC is also recommending that the Commission consider using County funds for retirement gifts and the receptions of said retirees. If approved, there would be a staggered pricing system for retirement gifts and a maximum limit of \$35.00 for retirement receptions.

Although the motion for Item B also included Item C, the discussion continued.

Wendy Birzer, ERC President, said they suggest no new pins be awarded, but will maintain the pins that have already been awarded. Birzer said service awards cost \$1,781.09 in 2015.

D. RESOLUTION 2016-18: Adoption of the Utility Permit Form as Prepared by the Barton County Engineer:

-At the direction of the Commission, the County Engineer plans, develops and maintains the County's infrastructure in a manner providing for safe travel. In order to perform these duties, the County Engineer may develop for use certain forms. At this time, Barry McManaman, County Engineer, will present a Utility Permit form to be used for the installation of, or adjustments to, utilities within the County's rights of way. He will ask that the form be adopted via the proposed Resolution.

Barry McManaman, County Engineer, asked for approval of the updated form.

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Requests to be made pursuant to the Kansas Open Records Act and County Policy. Estimated cost of disk - Five Dollars (\$5.00).

Commissioner Straub moved to adopt Resolution 2016-18, the Adoption of the Utility Permit Form as Prepared by the Barton County Engineer and presented by Barry McManaman. Commissioner Scharz seconded the motion. All voted aye. Motion passed.

E. 2016 TAX SALE: Update:

-The County recently took judgment on the parcels remaining on the 2016 Tax Sale. Owners are able to redeem parcels until Noon, Friday, October 7, 2016. The sale will be held in the Courthouse Conference Room at 10:00 a.m., Tuesday, October 11, 2016. At this time, 66 parcels remain.

Kevin Wondra, County Treasurer, said there are currently 65 parcels on the tax sale and noted they filed on 129 parcels back in March. Wondra said they will send out letters this week to all property owners who do not live in Great Bend or Barton County notifying of the upcoming tax sale. The Appraiser's Office will take photographs of the properties for the website. Wondra said the deadline for redemption has been moved back this year because some individuals travel a great distance for the sale and have arrived to find that the property they were interested in had already been redeemed. Wondra also noted that Diana Watson could get an "Employee of the Year" award for her work on the tax sale and said he also appreciates Richard Boeckman's work on the sale.

Information Only. No Action Required.

F. KANSAS DEPARTMENT OF REVENUE, DEPARTMENT OF MOTOR VEHICLES:

-The Kansas Department of Revenue, Department of Motor Vehicles, Driver's Licensing Office is currently located on the second floor of the Courthouse. Earlier this year, State personnel began discussing room options with the County. Last week, a study session was held to discuss a specific plan to move the location to the Fourth Floor of the Courthouse. Chairman Don Davis will lead a discussion on that meeting.

Commissioner Davis and Richard Boeckman said the Driver's License Office will remain in their current location on the second floor. The Treasurer's Office will vacate the back portion of the office to give them more room.

Information Only. No Action Required.

V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

- Comm Kruckenberg: Matt Patzner is really becoming polished on his presentations.

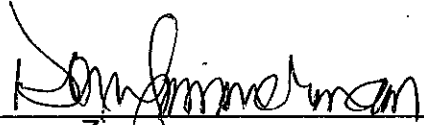
VII. ADJOURN:

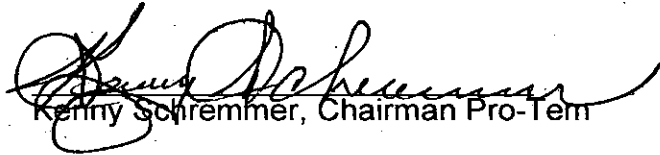
Commissioner Kruckenberg made a motion to adjourn at 9:31 A.M.

Commissioner Straub seconded the motion.

All voted aye. Motion passed.

ATTEST:


Donna Zimmerman
Barton County Clerk


Kenny Schremmer, Chairman Pro-Tem

RESOLUTION 2016-18

ADOPTION OF THE UTILITY PERMIT FORM
AS PREPARED BY THE BARTON COUNTY ENGINEER

WHEREAS, the Board of County Commissioners of Barton County, Kansas, is responsible for the general welfare of the County; and

WHEREAS, at the direction of the Commission, the County Engineer plans, develops and maintains the County's infrastructure, and facilities, in a manner which provides safe travel for the general public and enhances the quality of life in Barton County; and

WHEREAS, in an effort to perform these duties, the County Engineer may, from time to time, develop for use certain forms.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Barton County, Kansas, that a Utility Permit form has been developed for use by the County Engineer; and

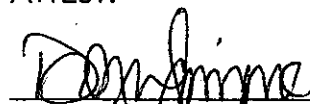
FURTHER, that said form, as attached hereto, is authorized for use when there is the installation of, or adjustments to, utilities within the County's rights of way.

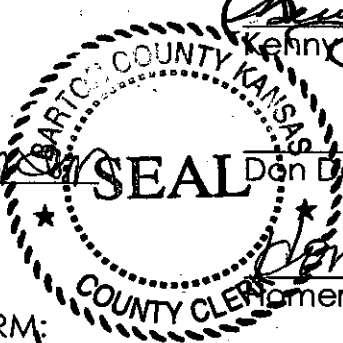
ADOPTED this 6th day September, 2016.

BOARD OF COUNTY COMMISSIONERS



Kenny Schremmer, Chair

ATTEST:

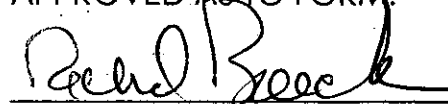

Donna Zimmerman
County Clerk



ABSENT
Don Davis, Commissioner


Homer Kruckenberg, Commissioner

APPROVED AS TO FORM:


Richard A. Boeckman,
County Counselor


Jennifer Scharz, Commissioner


Alicia Straub, Commissioner

CO. Rd. # _____

BARTON COUNTY ENGINEER
Barton County Courthouse
1400 Main, Room 108
Great Bend, KS 67530

Ph: (620)793-1808

Appl. Date _____

Fax:(620) 793-1983

Permit # _____

E-Mail: bmcmanaman@bartoncounty.org

UTILITY PERMIT

Whereas, _____ Owner,
(name and mailing address)

and (if applicable) _____
(name and mailing address)

As Agent, Lessee, Contractor, hereinafter termed the petitioner, request permission and authority to do certain work involving the County Highway right-of-way in, upon, or along Section _____, Township _____ S, Range _____ W, Barton County _____ (miles)

_____ (direction from) _____ (Nearest intersecting Avenue or Road).

Description of work including the type of utility, size, operating pressure, casing type, location, depth, method of installation, etc.

In consideration of the permission granted by Barton County to utilize Highway right-of-way (s) in the manner described above, the following terms and conditions are mutually agreed to by the Petitioner, and the County.

- 1.1 **PLANS:** Petitioner shall furnish two (2) sets of comprehensive plans or detailed drawings, 8 1/4"x 11" or 11"x17", or electronic pdf copy of the proposed work.
- 1.2 Plans for utility installations must include a description of the size, type, and method of installation for the proposed Facilities to be located within highway right-of-ways, and adequate detailed drawings indicating the location of the proposed installation with respect to the traveled way of the highway, the right-of-way lines and, where applicable, the control access lines.
- 1.3 An accurate "As Built" Construction Plan shall be provided for deviation from the approved Plan.
- 2.1 **MATERIAL AND METHODS:** All requests to perform work in, upon or along Highway right-of-ways must be approved by the County Engineer
- 2.2 The Petitioner shall furnish all material, do all work and pay all costs for the work, described on the Permit.
- 2.3 All utility installations shall comply with the conditions and applicable requirements of the KDOT Utility Accommodation Policy, current edition, which is incorporated by reference in its entirety.
<http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burConsMain/Connections/UAP2007.pdf>.
- 2.4 All materials and construction methods used on work within the limits of the right-of-way shall meet or exceed the requirements of the "Standard Specifications for State Road and Bridge Construction", current edition. The Standard Specifications are available at www.ksdot.org
- 3.0 **INITIATION AND COMPLETION OF WORK:** Petitioner agrees to notify the County Engineer or his duly authorized representative before work is initiated and again when work is completed. An approved signed copy of this Permit shall be on the premises at the start and during the period any work is performed.
- 3.1 All-work, including right-of-way restoration, shall be completed within _____ calendar days of APPROVAL DATE, otherwise this Permit is rescinded. If work has not been started within the completion time, this Permit becomes null and void.
- 4.0 **INSPECTION:** Petitioner will be responsible for supervising construction to insure compliance with Barton County policies and standards.
- 5.0 **ACCEPTANCE:** The County Engineer will be responsible for acceptance of restored right-of-way.
- 6.0 **RIGHT-OF-WAY:** Except for authorized changes, Petitioner shall restore right-of-way to a condition equal to or better than existed prior to approval of the work described on this Permit.
- 6.1 Any sod, shrubs, or trees destroyed by this work shall be replaced as directed by the County Engineer.
- 6.2 The right-of-way shall be kept free from parking, advertising signs or any other commercial activity.
- 7.0 **OBSTRUCTION OF TRAFFIC:** Petitioner shall ensure highway traffic will be free of interference unless specifically provided for as a part of this Permit. All temporary traffic control devices and their installation and maintenance shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD for streets and highways which has been adopted by the Secretary). Whenever the temporary Traffic Control Standards conflict with the MUTCD, the Standards shall govern. Workers shall wear approved safety vests according to 23 CFR Part 634. Worker Visibility.
- 8.0 **MAINTENANCE:** All utility installations shall be maintained or caused to be maintained by Petitioner.
- 9.0 **PERMIT REVOCATION:** In lieu of bond, the County may revoke the permit and remove any work performed. The Petitioner shall reimburse the County for any cost incurred by the County to restore right-of-way. The County will not authorize any other highway permits until Petitioner has either reimbursed the County or restored the right-of-way.
- 10.1 **LIABILITY:** Petitioner shall indemnify and hold harmless Barton County from personal injury and property damage claims arising out of any act or omission of Petitioner. If Barton County defends a third party's claim, the Petitioner shall indemnify the County for personal injury damages, property damages, and related expenses the County incurs arising out of Petitioner's act or omission. For purposes of this provision, the term Petitioner includes Petitioner's employees, agents, subcontractors (at any tier) suppliers (at any tier), successors, and assigns.

10.2 **INSURANCE:** Liability Insurance. Petitioner shall carry "General Liability" insurance under an occurrence policy that has a minimum combined single limit of \$2,000,000 for personal injury and property damage and that contains the following coverage: Comprehensive Form, Premises-Operation, Underground Hazard, Products/Completed Operations Hazard, Contractual Insurance. Broad form Property Damage, Independent Contractors, and Personal Injury Worker's Compensation; Petitioner shall carry "Workers Compensation and Employer's Liability" insurance that complies with Kansas Statute. Automobile Liability: Petitioner shall carry "Automobile Liability" insurance under an occurrence policy that has a minimum combined single limit of \$1,000,000.00 for personal injury and property damage that contains the following coverage: Comprehensive Form, Owned, Hired, and Non-Owned.

10.3 "Certificate of Insurance". This permit shall not take effect unless Petitioner provides Barton County a "Certificate of Insurance" confirming Petitioner carries insurance in the amounts and type this section requires. Petitioner shall obtain insurance only from insurers on the approved Federal Treasury List and authorized by the Kansas Commissioner of Insurance. The "Certificates of Insurance" shall include a clause requiring the insurer to notify County thirty (30) calendar days in advance of a change in or cancellation of the insurance contracts.

10.4 Petitioner shall maintain the insurance required in Section 10.1 until the county Engineer releases the Petitioner from any Permit obligation.

11.0 **DAMAGE TO UTILITIES:** Barton County shall not be liable for damage to any utility not installed in the location authorized by any permit or agreement issued pursuant to the KDOT Utility Accommodation Policy.

12.1 **PIPELINE LIABILITY:** For attachment to bridges or other structures and for the roadway crossings of PIPELINES CARRYING PETROLEUM, HAZARDOUS AND/OR CORROSIVE PRODUCTS, Petitioner shall solely assume all risk and liability for accidents and damages that may occur to persons, property or natural resources by reason of the operation of the pipeline attached to said bridge, structure or crossing of roadway.

12.2 Petitioner shall maintain the insurance required in Section 9.0 for as long as the pipeline remains attached to the bridge or other structure or for as long as the pipeline crosses the roadway. The insurance contract shall cover claims for such length of time as the law permits such claims.

13.0 **ENVIRONMENTAL LIABILITY AND INDEMNIFICATION:** Petitioner shall comply with all applicable federal, state, and local statutes, regulations and ordinances relating to environmental protection, and health and safety in Petitioner's acts on, or occupation of, the Highway right-of-way(s). Petitioner assumes all risk and liability for, or resulting from, any environmental condition on, at, or leaving the Highway(s) caused by or arising out of Petitioner's, or its agents' or contractors' acts, omissions, or occupation, in whole or in part, of the Highway right-of-way(s). Petitioner shall hold harmless and indemnify the County against all liability, cost, expense, and fines incurred by or levied against the County under any federal, state or local environmental law, regulation, or ordinance resulting from Petitioner's breach of this paragraph or as a result of Petitioner's acts or occupation of the Highway right-of-way(s) pursuant to this Permit. For purpose of this provision, the term Petitioner includes Petitioner's employees, agents, subcontractors (at any tier), suppliers (at any tier), successors and assigns.

14.1 **HIGHWAY IMPROVEMENTS AND/OR MAINTENANCE:** If Barton County makes any alteration or improvement along or upon the highway right-of-way which is the subject of this Permit, Petitioner shall hold the County harmless for any and all damage or injury to Petitioner's Facilities, whether finished or unfinished as well as damage or injury to Petitioner's equipment, materials, employees, agents or contractees. Petitioner shall conduct all work approved on this permit in such a manner as not to interfere with construction or other work being performed by the County or its contractors in the vicinity of Petitioner's work or project

14.2 Within a reasonable time after receiving written notice from Barton County that Petitioner's Facilities are in conflict with the County's new construction or major maintenance operations, Petitioner shall alter, change location or move their construction work or Facilities without cost or expense to the County.

14.3 Written notice will not be required for Barton County's normal maintenance.

15.0 **ABANDONED OR RETIRED IN PLACE:** Petitioner shall notify Barton County when the Facilities will be abandoned or retired in place and shall submit a plan for abandonment or retirement in place to the County Engineer or designee for review and approval. Petitioner shall remove or abandon the Facilities in place in accordance with the approved plan. Petitioner shall pay all costs associated with removal of abandoned or retired in place upon highway right-of-way Facilities.

This Permit is hereby accepted and its provisions agreed to by the Parties.

Petitioner:

Signature

Printed Name

Mailing Address

City, State, Zip Code

Contact email

Permit Approval Date _____

Barton County Engineer