

Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA 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
Meetings Live Streamed through **Microsoft Teams®**

January 18, 2021

The Board of Barton County Commissioners convened this 18th day of January 2021, at the Barton County Courthouse.

Members present:

Kirby Krier, Commissioner, 1st District
Barb Esfeld, Commissioner, 2nd District
Shawn Hutchinson, Commissioner, 3rd District (*Chairman Pro-Tem*)
James R. Daily, Commissioner, 4th District, Chairman
Jennifer Schartz, Commissioner, 5th District
Bev Schmeidler, Assistant Deputy County Clerk
Donna Zimmerman, County Clerk
Phil Hathcock, County Administrator
Patrick Hoffman, County Counselor

I. OPENING BUSINESS:

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

Roll Call taken by County Clerk.

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

Minutes of the January 11, 2021 Meeting were not available.

II. APPROVAL OF APPROPRIATIONS: 13th Month – 1st Run: (should be listed as 13th Month–2nd Run)

-An Accounts Payable Register for the 13th Month, 2020, will be submitted to the Commission.
Thirteenth month expenditures include any unpaid bills for a product, service or utility that was received in 2020.

Commissioner Schartz moved to approve the 13th Month – 1st Run appropriations for 2020 and authorize the Chairman to sign on behalf of the Commission.
Commissioner Esfeld seconded the motion.
All voted aye. Motion passed.

III. APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of January 4, 2021 and ending January 18, 2021.

Commissioner Esfeld moved to approve appropriations for the period of January 4, 2021, to January 18, 2021. Authorize the Chairman to sign on behalf of the Commission.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

IV. OLD BUSINESS:

There was no old business at this time.

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NEW BUSINESS:

A. RESOLUTION 2021-03: Establishing Commission Districts for Barton County, Kansas, and Rescinding Resolution 2018-05, Same, Adopted February 20, 2018:

-At least once every three years, the Commission shall review districting to assure that each of the five districts is as compact and equal in population as possible.

Donna Zimmerman, County Clerk, said without the 2020 census block data, we are unable to determine the population within the city of Great Bend block by block. Zimmerman said it has been three years since the commission last adopted a resolution establishing commission districts, so a new resolution must be adopted this year. Zimmerman said she updated the population for each of the townships and minor cities and spread the population for the city of Great Bend on a percentage basis and noted it was the best that is available at this point in time. Zimmerman asked the resolution be adopted unless the commission wants to do something different.

Commissioner Schartz moved to adopt Resolution 2021-03, Establishing Commission Districts for Barton County, Kansas, and Rescinding Resolution 2018-05, Same, Adopted February 20, 2018.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

Zimmerman said she had visited with Bj Wooding, Barton County Cartographer, and she indicated that it would be late summer or fall before new census data would be available. At that time, work can begin to be ready to go next January.

B. TOWNSHIP BOARD: Independent Township Clerk:

Bridget Beran has resigned from her position with the Independent Township Board. The remaining Independent Township board members have nominated Ryan Oeser to fulfill the term of Township clerk. It is the Commissioners' responsibility to make the appointment per KSA 25-1606.

Donna Zimmerman, County Clerk, said Bridget Beran had moved and was no longer able to fulfill the duties of Independent Township Treasurer. Remaining board members Randy Oeser and James Debes recommended Ryan Oeser be appointed to finish the term. Zimmerman said Oeser is a qualified registrant residing in Independent Township.

Commissioner Hutchinson moved to accept the resignation of Bridget Beran as Independent Township Clerk and to appoint Ryan Oeser as the Independent Township Clerk, effective January 18, 2021, with the position terming on January 9, 2023.

Commissioner Krier said he knew Bridget and Ryan very well and said Bridget did a great job. Krier said Beran went off to school and said Ryan does a great job and said his Dad, Randy, was on the Independent Township board forever.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

C. COUNTY ATTORNEY'S OFFICE: Departmental Update:

-Levi Morris, County Attorney, has asked that time be allocated for a departmental update.

Levi Morris, County Attorney, said you cannot talk about 2020 without discussing COVID and noted that last March, Chief Justice of the Kansas Supreme Court closed the courts with no jury trials. Clerks worked with skeleton crews to process the bare minimum paperwork to keep going. The courts were shut down for six weeks. As of now, the right to a speedy trial still does not exist. Some counties are not even trying to have jury trials, only 2½ jury trials have taken place in the State of Kansas in the last 9 months.

They were required to submit a plan to the Kansas Supreme Court for approval which outlines all the safety procedures that would be taken to protect jurors and the public in the event of a jury trial. Barton

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County's plan was submitted and approved. The jurors would be placed in the audience space and witnesses in the jury box.

Morris said there are sex offenders sitting in the jail which we are not able to get to trial. They may be strategically not taking offers for shorter prison time if they go voluntarily with a plea deal.

Morris said the County Attorney's Office filed 584 criminal cases in 2018, 476 in 2019 and 492 in 2020. 2019 was Morris's first year and he did not file cases he did not believe could be won at a jury trial since they take up too much time and resources. They filed 1,900 traffic cases in 2018, 1,800 in 2019 and 1,500 in 2020. The drop is attributed to the shutdown and fewer people being out. Morris said he missed 10 days work in December due to being ill with COVID and said had he been able to work, he probably would have filed more criminal cases.

Morris said last year he would liked to have had a conversation in June at the budget meeting about adding a 5th prosecutor, but due to COVID that did not happen. Morris said he would not be addressing the issue this year but possibly talk about it with the commission next year.

Morris continued addressing drug distribution cases and said the Sheriff does a good job keeping the public apprised of drug busts as do the police departments. The charge of drug distribution numbers has increased over the last few year. In 2015, 42 drug distribution charges were filed, dropped to 27 in 2016, 23 in 2017, 68 in 2019 and 76 in 2020 with a dozen or so cases still to be charged out. Morris said even during COVID, the drug offenders are plenty active. Other case types such as juvenile offenders and child in need of care remain steady.

Commissioner Krier asked if a 5th prosecutor would speed up release times from jail to reduce inmate numbers. Morris said jail capacity is 110, Sheriff Bellendir said that was correct. Morris said that late 2019, before COVID, the jail dropped to about 70 inmates. Bellendir said now they are averaging 85 – 87. Morris said a 5th prosecutor would allow the office to do more trials. Approximately 99% of the cases are pled out.

Commissioner Hutchinson asked how many were awaiting jury trials due to COVID. Morris said maybe around a dozen.

D. APPRAISER'S OFFICE: Bulk Mailing – Valuation Notices:

-For 2021, the Appraiser's Office utilized the new procurement portal to receive quotes from vendors to print and mail Barton County's 2021 real estate Valuation Notices. Work involves the creation of valuation notices, mailing labels and envelopes.

Wendy Prosser, County Appraiser, said each year they are required by statute to send out valuation notices to all real estate owners except utilities. Prosser said they have outsourced the bulk mailing for the past five years as it is more cost effective than doing it in house. The Appraiser's Office requested bids through the new Procurement Portal. Bids were received from Midwest Presort Mailing Services, Multiple Services Equipment Company and Master's Touch LLC. Prosser said they have used Master's Touch LLC the last 2 years. Prosser said the Master's Touch LLC bid was only \$220 more than the lowest bid and recommended using them since they have worked with them in the past, they already have Barton County's forms, there would be no set up fees, and their services are easy to use.

Commissioner Esfeld moved to hire The Master's Touch at a cost not to exceed \$6,800.00 for bulk mailing Certificates of Valuation Notices for 2021. Cost to be paid from the Appraiser's account of the General Fund, Professional Service Fees Line – 001-14-5475.

Commissioner Hutchinson seconded the motion.

Noted aye. Motion passed.

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EXECUTIVE SESSION: Personnel matters of non-elected personnel:

-The Commission will enter into Executive Session. It is anticipated that the County Administrator, Assistant County Administrator, the County Appraiser and the County Counselor will be invited into Executive Session. The Commission meeting will resume in fifteen minutes.

At 9:25 A.M. Commissioner Schartz moved that the Commission enter Executive Session until 9:40 A.M. The subject to be discussed will be personnel matters of non-elected personnel. The reason this needs to be discussed in Executive Session is to receive information and to take potential action on a personnel matter of non-elected personnel. Mr. Hathcock, Mr. Hoffman, Wendy and Donna are invited to be present.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

F. ACTION FROM EXECUTIVE SESSION: Personnel matters of nonelected personnel:

-The Commission will make any necessary announcements as a result of the Executive Session. If necessary, further discussion or a decision may be made at this time.

Commissioner Krier moved to return to the regular meeting at 9:40 A.M.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

G. EXECUTIVE SESSION: Personnel matters of non-elected personnel:

-The Commission will enter into Executive Session. It is anticipated that the County Administrator, Assistant County Administrator, the County Appraiser and the County Counselor will be invited into Executive Session. The Commission meeting will resume in fifteen minutes.

At 9:41 A.M. Commissioner Schartz moved that the Commission go back into Executive Session until 9:46 A.M. with the same people.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

H. ACTION FROM EXECUTIVE SESSION: Personnel matters of nonelected personnel:

-The Commission will make any necessary announcements as a result of the Executive Session. If necessary, further discussion or a decision may be made at this time.

Commissioner Schartz moved to return to the regular meeting at 9:47 A.M.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Commissioner Daily said no action taken was taken from Executive Session.

VI. ENDING BUSINESS:

1. Announcements
2. Appointments

VII. OTHER BUSINESS:

There was no other business.

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. ADJOURN.

Commissioner Hutchinson moved to adjourn at 9:50 A.M.

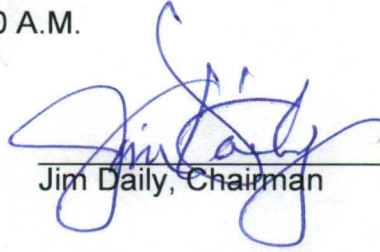
Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler
Barton County Assistant Deputy Clerk



Jim Daily, Chairman