

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**® at the following link: <https://bit.ly/3LT2MF6>

April 23, 2024

The Board of Barton County Commissioners convened this 23rd day of April 2024, at the 1500 Kansas location.

Members present:

Duane Reif, Commissioner, 1st District
Barb Esfeld, Commissioner, 2nd District, Chairman
Shawn Hutchinson, Commissioner, 3rd District
Tricia Schlessiger, Commissioner, 4th District, (Chairman Pro-Tem)
Donna Zimmerman, Commissioner, 5th District
Bev Schmeidler, County Clerk
Matt Patzner, County Administrator
Patrick Hoffman, County Counselor

I. OPENING BUSINESS:

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

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

Commissioner Zimmerman moved to approve the minutes of the April 2, 2024, April 9, 2024, and the April 16, 2024, Regular Meetings.
Commissioner Reif seconded the motion.
All voted aye. Motion passed.

II. APPROVAL OF APPROPRIATIONS:

-Bev Schmeidler, County Clerk, will present details. An Accounts Payable Register will be submitted to the Commission for the period of April 9, 2024, and ending April 23, 2024.

Bev Schmeidler, County Clerk, presented details and asked for approval.

Commissioner Schlessiger moved to approve appropriations for the period of April 9, 2024, to April 23, 2024. Authorize the Chairman to sign on behalf of the Commission.
Commissioner Reif seconded the motion.
All voted aye. Motion passed.

III. OLD BUSINESS:

-There is no Old Business at this time.

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IV. NEW BUSINESS:

A. COUNTY CLERK'S OFFICE: Request for Approval – Added / Abated / Escaped / Refunded Taxes:

-Bev Schmeidler, County Clerk, will present a listing of Added / Abated / Escaped / Refunded Taxes. Orders for these actions are kept on file in the County Clerk's Office. These are used to correct assessments and are requested by the County Appraiser's Office or the County Clerk's Office.

Bev Schmeidler, County Clerk, presented details and asked for approval.

BATCH #7	VALUES	ESCAPED TAXES	ADDED / ABATED	REFUNDS
Gas				
Oil	(11,838)		(\$1,697.36)	\$524.13
Personal Property	(8,490)		(\$1,417.86)	\$665.14
Real Estate	(5,124)		(\$768.68)	
16/20 M Trucks				
State Assessed Utilities				
Special Assessments				
Grand Totals	(25,452)	\$0.00	(\$3,883.90)	\$1,189.27
Total Taxes	(\$3,883.90)			
Total Records Selected	11			

Commissioner Reif moved to approve the Listing of Added / Abated / Escaped / Refunded Taxes as reviewed by the County Appraiser and presented by the County Clerk's Office. Direct the Chairman to sign on behalf of the Commission.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

Commissioner Zimmerman said looking at the recap, it appeared we were behind compared to last year.

Commissioner Esfeld said the dollar amount was very low. Last year values elevated so much to catch up with fair market. As the Appraiser's Office holds hearings and people make them aware of things with their properties, the informal time was the time for changes. It appeared those were limited with the numbers we were seeing. Schmeidler said she knew they were still holding hearings not too long ago, there may be more come through yet.

B. RESOLUTION 2024-14: A Resolution Transferring and Carrying Over 2023 Unexpended Funds to the Capital Improvement and Equipment Replacement Funds:

-Matt Patzner, County Administrator, will present details. After accounting of all 2023 transactions, monies are suggested for transfer to the Capital Improvement and Equipment Replacement Funds.

Matt Patzner, County Administrator, said it was the County's practice to transfer unexpended funds from one year to the next. After discussions with the commissioners and in light of uncertainty with the economy, the proposed transfers would better position the County for the future.

To Capital Improvement, Total Transfer –	\$746,555.97
General Fund, Building and Fixed Equipment	\$450,000.00
Federal Funds Exchange	\$171,555.94
Road & Bridge Capital Improvement	\$125,000.03

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To Equipment Replacement, Total Transfer –	\$125,000.03
Road & Bridge Equipment Replacement	\$125,000.03

At year end, as of 12-31-2023; Capital Improvement total	\$3,910,586.92
Equipment Replacement	\$4,174,065.60

Patzner asked for consideration to adopt the resolution.

Commissioner Hutchinson moved to adopt Resolution 2024-14, A Resolution Transferring and Carrying Over 2023 Unexpended Funds to the Capital Improvement and Equipment Replacement Funds.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

C. UPDATE: 2024 Authorized Positions Listing:

-Mr. Patzner will provide details. It is suggested that the Commission approve the addition of an office assistant position as a part-time employee under Central Kansas Community Corrections. The person in this position will work with the CKCC Director, office assistant and other personnel in performing vital tasks for departmental operations.

Matt Patzner, County Administrator, presented details. Patzner said Brooke Haulmark, CKCC Director, felt this position would alleviate some of the burden on her staff. Having someone to focus on the bookkeeping aspect would put them in a better position to succeed.

Commissioner Schlessiger to approve the updated 2024 Authorized Positions Listing.

Commissioner Reif seconded the motion.

All voted aye. Motion passed.

D. SETTLEMENT AGREEMENT:

-Patrick Hoffman, County Counselor, will present details. Barton County has been involved with the development of a settlement agreement with two former employees. Those agreements will be considered at this time.

Patrick Hoffman, County Counselor, said last November, the County offered a severance payment to two former employees. At that time, the employees declined the offer and later presented a claim to the County's insurance company. Our insurance and the former employee's attorneys later agreed to a mediation conference. The insurance company asked the County to contribute a portion of the original severance offered if the claim were settled at the mediation. The insurance company and other parties did reach an agreement and the County was now being asked to approve our contribution to make that effective. In approving this, the County did not admit any liability or wrongdoing and in fact, the County did not believe any laws were violated. However, in the best interest of preserving the County's time, energy and resources, it was recommended to approve these payments.

Commissioner Esfeld said this had been very difficult to work through. Hoffman said we do our best to avoid these things, but from time to time, things happen.

Commissioner Esfeld said she appreciated the county's transparency.

Commissioner Zimmerman said since joining the commission, there had been several tough decisions to make: HVAC, solar energy, and now the CKCC employee settlement. Commissioner Zimmerman said many listening would have their own opinions as she often does when listening to the news. The problem was, there was oftentimes information that the general public was not or could not be made aware of for

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many reasons. The other side of the story. Commissioner Zimmerman said she hated the narrative that settling the suit would create. There were serious deficiencies. Corrective action was called for by KDOC in their combined 57-page FY23 Audit and Quality Improvement Plan. Commissioner Zimmerman said she would have liked to see the case litigated but the insurance carrier weighed the time and cost of litigation against settlement. That was why we were where we were today. In order to bring closure and move forward in a positive way, as much as it pains me, I will be voting in favor of the settlement.

Commissioner Hutchinson said to sum it up, it was a business decision. Something we did not feel like we would lose, but the cost of attorneys would be greater, and dragging it out over 2-3 years would be longer. Just get it over now.

Commissioner Esfeld said it had been very painful and believed the settlement was the least expensive for the taxpayers.

Commissioner Schlessiger echoed that it was a business decision and also echoed Commissioner Zimmerman, that there were severe deficiencies noted.

Commissioner Reif echoed the other commissioners and said it had been a very difficult process for each and every one of them. Commissioner Reif said they did not take it lightly and it weighed on all of them. He felt this was the best decision overall.

Commissioner Zimmerman moved to approve the settlement agreement with Amy Boxberger, to include a \$25,000.00 settlement, and the settlement agreement with Tyler Lehmkuhl, to include a \$10,000.00 settlement. The settlement amounts to be paid as follows: \$17,500.00 to be paid from the Courthouse General Account of the General Fund, Wages Line, 001-18-5000, and \$17,500.00 to be paid from the Finance General Account of the General Fund, Miscellaneous Contractuals Line, 001-26-5755. Commissioner Schlessiger seconded the motion. All voted aye. Motion passed.

Mike Courson, Eagle Radio, asked if the settlement was county funds and not insurance.

Commissioner Hutchinson said that portion of the settlement was county funds. He added the insurance carrier dropped us with very little notice at the end of last year. Part of their thought process was not to drag it out with someone they no longer insured. Barton County was no longer paying the insurance company since they dropped us at the end of the year after the major storm in July.

Commissioner Esfeld said there were other funds being paid by the insurance company.

Dale Hogg asked the amount of the total settlement. Hoffman said he did not currently have those numbers.

No Executive Session Held

E. EXECUTIVE SESSION:

-Chairman Barb Esfeld will present. Any Commissioner may make a motion for the board to recess to executive session at this time as allowed by K.S.A. 75-4319. Any motion must contain the justification for the executive session, the subject matter to be discussed, any individuals in addition to the board who will attend the executive session and the time at which the regular session shall resume.

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V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

Commissioner Reif – there had been a lot of Proclamations lately. He wanted to encourage those who have a passion for something, especially non-profits, it was a good way to get the word out.
Commissioner Schlessiger – she attended the 2024 Agricultural Net Income for Property Tax Calculation meeting. The webinar was available. Irrigated and dry land values would be decreasing in the next few years.

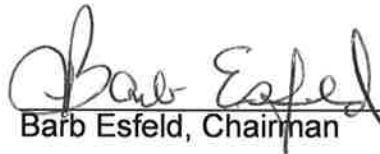
VII. ADJOURN:

Commissioner Schlessiger moved to adjourn at 9:23 A.M.
Commissioner Reif seconded the motion.
All voted aye. Motion passed.

ATTEST:



Bev Schmeidler
Barton County Clerk



Barb Esfeld, Chairman