

# 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](mailto:clerk@bartoncounty.org)  
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July 10, 2017

The Board of Barton County Commissioners convened this 10th day of July 2017, at the Barton County Courthouse.

## *Members present:*

Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)  
Homer Kruckenberg, Commissioner, 2nd District  
Don Davis, Commissioner, 3rd District  
Alicia Straub, Commissioner, 4th District  
Jennifer Schartz, Commissioner, 5th District, Chairman  
Donna Zimmerman, County Clerk  
Phil Hathcock, Operations Director  
Carey Hipp, County Counselor

## **I. OPENING BUSINESS:**

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

Commissioner Schremmer moved to approve the agenda.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

Minutes of the June 26, 2017, and the July 3, 2017, Regular Meetings were not available.

## **II. APPROVAL OF APPROPRIATIONS:**

Accounts Payable Register will be submitted to the Commission for the period of June 26, 2017, and ending July 10, 2017.

Commissioner Schremmer moved to approve the appropriations for the period of June 26, 2017, to July 10, 2017. 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. COUNTY WORKS DIRECTOR: Appointment of a Director:**

-The County Works Director position is under the supervision of the Operations Director and works at the direction of the Commission. The Director is tasked with the maintenance and construction of County infrastructure, staff supervision, fleet and asset control and budget management of the Road and Bridge, Noxious Weed and Memorial Parks Departments. It is suggested that Darren Williams, the current Engineering Technician, be promoted to the position of County Works Director.

Phil Hathcock, Operations Director, said Dale Phillips retired June 30<sup>th</sup> as the director. Darren Williams has been chosen for the position and noted he has been employed with the County for 14 years as the Engineering Technician.

Commissioner Kruckenberg asked if the Noxious Weed Department would be included in the duties. Hathcock said yes, Kay Thompson is Interim Director and will remain so until her retirement next April. Thompson will help Williams get up to speed.

Darren Williams thanked the Commission for the opportunity and noted he has big shoes to fill.

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Commissioner Davis welcomed Williams and asked if the name was officially being changed to County Works Department. Commissioner Schartz said it would be changed because by statute, a Public Works Department has to be headed by an engineer. Commissioner Schartz noted Darren Williams would start the new position on July 17<sup>th</sup>.

Commissioner Davis moved to promote Mr. Darren Williams to the position of County Works Director. Salary to be paid entirely from the Road and Bridge Fund in 2017.  
Commissioner Straub seconded the motion.  
All voted aye. Motion passed.

## **B. INFRASTRUCTURE REPAIR: Agreement for Emergency Relief Federal-Aid Road Construction, Project No. 5 C-4817-01/02/03/04/05/06/07 – Supplemental Agreement No. One:**

-Barton County experienced damages on certain roads and bridges as a result of the thunderstorms, heavy rains and flash flooding in the Spring of 2015, that resulted in a Federal Disaster Declaration on July 20, 2015. Some of the damaged infrastructure was originally constructed with Federal Aid monies. As such, it could not be submitted for Public Assistance money under the Federal Disaster Declaration. Consequently a separate damage assessment was made through the Kansas Department of Transportation (KDOT) for assistance and an agreement was approved on March 28, 2016, for Emergency Relief Repair. Under a Supplemental Agreement, the revised project estimate cost has been increased from \$90,974.57 to \$107,625.85.

Barry McManaman, County Engineer, said total estimated cost of damages was \$133,000. Additional Federal funds became available, so they are increasing the County's reimbursement from \$90,974.57 to \$107,625.85.

Commissioner Straub moved to approve the Supplemental Agreement Number One for Agreement for Emergency Relief Federal-Aid Road Construction, Project No. 5 C-4817-01/02/03/04/05/06/07. Direct the County Engineer to file required documentation needed with the Kansas Department of Transportation. And those monies received as a result to be deposited in the Road and Bridge Fund, State Funds Revenues Line, 002-00-4325.

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

Steve Webster asked where the damaged areas are. Amy Miller, Emergency Risk Manager, said there was washing around bridges, etc. Miller said disaster funding varies between blacktop roads that the County maintains to bridges that were built with FAS funding. Projects built with FAS funding must be submitted through the Department of Transportation (DOT) for reimbursement following a disaster as opposed to infrastructure that is owned and developed by local governmental entities. Local projects request funding through FEMA. There are actually two different pots of money that may be available for a Federal Disaster Declaration.

Commissioner Davis said Miller helped the City of Great Bend recently and noted the city applied for and received funding with Miller's assistance.

## **C. SOLID WASTE LANDFILL: Permit Modification Project:**

-Solid Waste operates the Landfill per Kansas Department of Health and Environment (KDHE) regulations. Initial permit documentation has been submitted to KDHE and they have provided a list of items to be addressed. SCS Engineers has provided a cost estimate to prepare the KDHE required documents to complete the permit modification.

Hathcock, Landfill Director, said SCS Engineers submitted an application to KDHE this past January. KDHE required additional documentation as is typical in permits of this size. SCS Engineers provided an

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estimate of \$39,050 to provide the additional information. Hathcock said this expansion will double the air space of the landfill and double the life of the landfill from 33 years to 60-70 years. Hathcock said we will receive in excess of \$10 million in tipping fees due to the additional life of the landfill.

Commissioner Straub moved to approve the SCS Engineers proposal to complete the KDHE-required documentation for the permit modification of the Barton County Landfill. That cost, estimated at no more than \$39,050.00, to be paid from the Solid Waste Budget, Professional Services Line, 140-68-5475. Commissioner Kruckenberg seconded the motion. All voted aye. Motion passed.

## D. 2018 OPERATING BUDGET: Authorization to Publish Notice of Budget Hearing:

-The 2018 Operating Budget recommendations were developed through the cooperative efforts of the Elected Officials, Department Heads and those outside agencies receiving funding from the County. Mr. Hathcock will request authorization to publish the Notice of Budget Hearing. The public notice sets the maximum tax levy and budget expenditures for the 2018 operating year.

Donna Zimmerman, County Information Officer, asked for approval to publish with a hearing date set for July 31st.

Commissioner Schremmer moved to authorize the County to publish the Notice of Budget Hearing. Hearing date to be set at 9:00 a.m., Monday, July 31, 2017. Commissioner Davis seconded the motion. All voted aye. Motion passed.

Commissioner Schartz extended a thank you to Donna, Phil and Matt for their work on the budget.

## E. COUNTY COUNSELOR: Independent Contractor Agreement for County Counselor:

-In February of this year, the Commission approved an Independent Contractor Agreement for County Counselor with Carey Hipp, Sherman, Hoffman & Hipp, LC. This initial agreement did include an option to renew. Under the renewed agreement, Hipp would be compensated at a rate of \$6,000.00 per month for defined services dealing with employment, contractual and other civil law matters. The contract period shall run from July 1 – December 31, 2017. It is suggested that the payment for services be made from the Special Liability Fund.

Phil Hathcock, Operations Director, said while the new contract had increased in cost, it is still less than other bids received.

Returned proposals for County Counselor for Calendar Year 2017 were as follows:

Carey Hipp, Sherman, Hoffman & Hipp, LC	Ellsworth	\$ 3,000 per month
Watkins Calcara Chtd.	Great Bend	\$ 8,500 per month
McPherson & McVey Law Offices	Great Bend	\$12,000 per month*

*\*Specifically excludes the tax sale*

Amy Mellor, County Attorney, said on March 1, 2017, e-filing was mandated by the Chief Judge of the 20<sup>th</sup> Judicial District. This creates a severe burden on her office. Issuing subpoenas used to take a minimal amount of time, but now take several hours to complete. The office is on track to file around 600 criminal cases this year, each of those could have subpoenas issued several times before the case is disposed of. Mellor also said it is clear that her office should be exempted from the tax lid. Mellor explained Carey Hipp is not a Barton County resident; therefore the money is going out of county to Ellsworth County. Mellor said Hipp's contract doubled for the same 10 hours of work. She also noted disparities in her salary for the number of hours worked compared to Hipp's salary.

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Commissioner Straub said she agreed with Mellor about the compensation.

Doug Matthews, Assistant County Attorney, said in the 12 years he served as County Attorney, he never thought of being County Counselor.

Commissioner Kruckenberg asked Sheriff Bellendir how that would affect his budget. Sheriff Bellendir said it should not affect his budget at all.

Matthews said he understood that earlier in the year, the Commission approached Mellor about the possibility of taking on the County Counselor position. Matthews said the office is in a better position to do that now than when he was County Attorney, but would need additional manpower to do so. That would mean an additional attorney, a staff person and someone to keep up with e-filing.

Commissioner Schremmer moved to approve the Independent Contract Agreement for County Counselor with Carey Hipp, Sherman, Hoffman & Hipp, LC. The Contract period shall run from July 1 – December 31, 2017. Monthly service cost of \$6,000.00 plus incidentals as agreed to shall be paid from the Special Liability Fund.

Commissioner Kruckenberg seconded the motion.

Commissioner Straub said she would like to see Hipp finish the tax sale because of all the work she has already done and said we may want to reevaluate this further. Commissioner Schartz said that could be done in study session. Commissioner Straub said but there was already a motion to publish the budget as is. Donna Zimmerman said the motion to publish sets the maximum limits, and noted it can be reduced but not increased.

Commissioner Schremmer, Commissioner Kruckenberg, Commissioner Straub and Commissioner Schartz voted aye.

Commissioner Davis voted nay.

Motion passed 4 – 1.

## V. ENDING BUSINESS:

1. Announcements
2. Appointments

## VI. OTHER BUSINESS:

- Judy Goreham, Env Mgr: There is still 1 open position on the Barton County Planning Commission.
- Becky Wornkey: After hearing the maximum is set for the budget, will the Commissioners be retracting the motion to publish the budget until this is resolved? Commissioner Schartz said the mill levy is set and is within the maximum tax lid available. Wornkey said then Commissioners should give up their salaries.

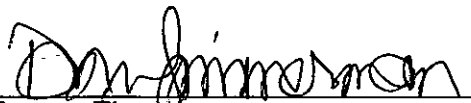
## VII. ADJOURN:

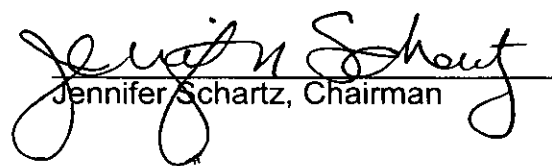
Commissioner Schremmer made a motion to adjourn at 9:39 A.M.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
Donna Zimmerman  
Barton County Clerk

  
Jennifer Schartz, Chairman