

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

January 29, 2018

The Board of Barton County Commissioners convened this 29th day of January 2018, at the Barton County Courthouse.

*Members present:*

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

**I. OPENING BUSINESS:**

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

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

Commissioner Scharz called for motion to consider the minutes of the Monday, January 22, 2018, Regular Meeting.

Commissioner Davis so moved.  
 Commissioner Straub seconded the motion.  
 Voted aye. Motion passed.

**II. OLD BUSINESS:**

There was no old business.

**III. NEW BUSINESS:**

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

**Taxes:**

-Donna Zimmerman, 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.

Donna Zimmerman, County Clerk, presented the following tax roll adjustments:

BATCH #7				
Property Types	Values	Escaped Taxes	Added / Abated	Refunds
Gas				
Oil				
Personal Property	- 1,964		-\$ 382.44	\$ 5.00
Real Estate	-32,775		-\$5,527.40	\$2,374.14
16/20 M Trucks				
State Assessed Utilities				
Special Assessments				
Grand Totals	-34,739		-\$5,909.84	\$2,379.14
Total Taxes	-\$5,909.84			
Total Records Selected	11			

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Commissioner Straub moved to approve the Listing of Added / Abated / Escaped / Refunded Taxes as reviewed by the County Appraiser and presented by the County Clerk and direct the Chairman to sign on behalf of the Commission.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

## **B. RESOLUTION 2018-04: Conditional Land Use Permit Application for a Described Tract of Land – “Susank NW Tower”:**

-On January 9, 2018, the Barton County Planning Commission held a public hearing to consider an application submitted by Midwest Energy, Inc. for a Conditional Land Use Permit to build a 350' Communications Tower at a tract of land which is located in the SE/4, Section 18, Township 16 South, Range 13 West, and commonly known as: “Susank NW Tower”, 138 NW 200 Rd, Hoisington, Kansas, 67544. The site is zoned as Agricultural District and a Communications Tower is listed as a Conditional Use. The Planning Commission has recommended the Conditional Land Use Permit for this purpose be approved.

Judy Goreham, Zoning Administrator, said there were 3 applications approved in 2016 for very short tower, but this request is different. The tower would be secured by guy wires and requires FCC and FAA approval. Goreham explained the land is all pasture land and the tower would be located just south of the center of the parcel. Goreham said if it were to fall it would affect the landowner that owns the land on all four sides of the parcel; however, it would not cross the township road to the south (NW 200 Rd). The Planning Commission has recommended approval of this tower with a “condition” that Midwest Energy, Inc. submit a copy of the FCC and FAA approvals once they are received, which will be after the County considers approval on January 29, 2018 but prior to construction later this year. Goreham said no opposition has been received for the proposed Conditional Land Use Permit and noted Mr. Flax with ICI has already submitted a Certificate of Insurance as it relates to the potential for damage if the communications tower falls onto the adjoining property owners land.

Commissioner Schartz asked if there was a plan to decommission the tower. Goreham said yes, they do have a plan should it not be in use any longer. Goreham said there is nothing in the Planning Commission rules to decommission a tower.

Commissioner Schremmer moved to approve the Resolution 2018-04, Conditional Land Use Permit Application for the Described Tract of Land – “Susank NW Tower”.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

## **C. COUNTY ENGINEER: Kansas Department of Transportation, Federal Fiscal Year 2020 High Risk Rural Roads Program Applications:**

-The Kansas Department of Transportation (KDOT) has requested applications for the Federal Fiscal Year 2020 High Risk Rural Roads (HRRR) program. Barry McManaman, County Engineer, has proposed that the County apply for two projects. Project One is for an engineering study of signing and no passing zones on various County roads that are classified as major collectors, minor collectors, and local roads, and on which no previous signing project has been done. Project Two is for the engineering analysis of no passing zones and the required no passing pennant signs. This second project previously had a sign replacement project in Federal Fiscal Year 2013 but that project did not include a “no passing zone” analysis. Both project applications will request that all preliminary engineering (design), construction, and construction engineering (inspection) costs be funded with federal money. If the projects are approved by KDOT it is anticipated that the federal funds will cover 100% of the costs.

Barry McManaman, County Engineer, said there will be \$3.5 million in funding available statewide and urged approval of both projects.

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Commissioner Straub moved to approve Project One and Project Two for the Kansas Department of Transportation, Federal Fiscal Year 2020 High Risk Rural Roads Program and direct the County Engineer to create applications to be signed by the Commission Chairman and further, that the County Engineer shall submit the completed applications to KDOT prior to any deadlines.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## **D. COMMUNICATIONS: Replacement of the Recording System:**

-Voice logging is an important element of the 911 service. Audio recordings are made from telephones, radios, microphones and other sources. This information is used to improve emergency services and to aid in criminal prosecution. The current recorder at 911 is failing. Dena Popp, Communications Director, researched options and suggests that a Voice Products 30 Channel NICE Recording System be purchased. The cost, \$42,833.00, includes installation, training, Quality Assurance, Redacting feature, all licensing, and one year maintenance. The Evidence Compliance Pack and organizer feature, priced at \$7,050.00, is included in the package and will be paid by the County Attorney's Office.

Dena Popp, Communications Director, said the current Voice logger has had hard drive failure on 3 occasions over the last 90 days. They lost approximately 2 hours of recordings from a failure on the Friday following Thanksgiving. The current system is 9 years old, which exceeds the 7 year standard life of a recorder. Two estimates were obtained to replace the recorder, and one was obtained to upgrade the current recorder. The upgrades appear to be minimal and there is concern about additional items needing to be upgraded in the next couple years. Popp said the current system takes up a large amount of space, is very loud, approximately 7' tall and does not offer the ability to redact pieces of recordings that do not pertain to the call in which the tapes are being made. The current system is from a company of California that does not partner with any Kansas based equipment vendors. The Voice Products Company partners with AT&T and Airbus (phone equipment vendor), and may be one of the only vendors to partner on text to 911 recordings. Popp said Voice Products also offers 24/7/365 on site maintenance, where the current vendor has not been on site since installation, and most maintenance has entailed shipping us the parts and installing ourselves. Voice Products is the lead vendor for 911 agencies across that state. Popp said the organizer software is requested by the County Attorney who will pay the \$7,050 cost.

Casey Hubbard, Office Manager/Investigator, said organizer software would be paid from the Diversion Fund.

Popp added that the cost comes with quality assurance, installation and all licenses as well as one-year maintenance.

Commissioner Davis moved to approve the purchase of the 30 Channel NICE Recording System with the Evidence Compliance pack from the Voice Products, Inc. The total cost, \$42,833.00 to be paid as follows:

- 911 Tax Fund, Equipment Line, 080-86-6165 \$35,783.00 for the Recorder
- General Fund, Attorneys Account, Diversion/Forfeiture Sub-Account Software Maintenance Line, 001-08-5610-06 for the amount of \$7,050.00 for the Organizer

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

## **IV. ENDING BUSINESS:**

1. Announcements
2. Appointments

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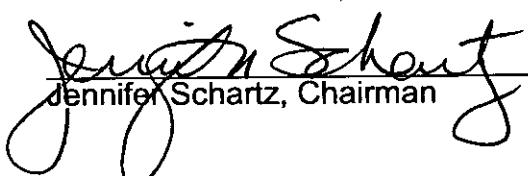
## V. OTHER BUSINESS:

- Comm Straub: Attended Local Government Day in Topeka last week. Main focus is school finance. Visited with Ford County officials and wants to discuss some proposed 911 changes with Dena Popp.

## VI. ADJOURN:

Commissioner Schremmer made a motion to adjourn at 9:24 A.M.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

ATTEST:   
Donna Zimmerman  
Barton County Clerk

  
Jennifer Schartz, Chairman

**RESOLUTION 2018-04**

**APPLICATION FOR APPROVAL OF CONDITIONAL LAND USE PERMIT  
FOR A DESCRIBED TRACT OF LAND - "SUSANK NW TOWER"**

**WHEREAS**, on January 28, 2013, the Barton County Planning Commission recommended to the Board of Barton County Commissioners the adoption of the Barton County Zoning Regulations, including the Official Zoning Map of Barton County, Version II. Said recommendation resulting in the adoption of the current version of the Zoning Regulations; and

**WHEREAS**, on the 9<sup>th</sup> day of January, 2018, the Planning Commission approved a recommendation to the Board of County Commissioners to take action on zoning conditional land use of a certain tract of land.

**WHEREAS**, that the Barton County Planning Commission recommends that:

*The tract of land being situated in the SE/4, Section 18, Township 16 South, Range 13 West in the County of Barton, State of Kansas, commonly known as: 138 NW 200 Rd, Hoisington, KS 67544. Boundary survey dated 10/03/2017 further describing the parcel is attached (Attachment A);*

*Currently zoned as Agricultural District shall be Approved for Midwest Energy, Inc. a Conditional Land Use Permit to construct a Communications Tower at the described tract listed above - As said conditional use is allowed under the Barton County Zoning Regulations, Version II, Article III, District Regulations, Part 1. Agricultural Community District, Section 3-101 (B) Conditional Uses (2) Broadcasting and Telecommunication Towers.*


**NOW, THEREFORE**, the Board of County Commissioners of Barton County, Kansas, hereby adopts the recommendation of the Barton County Planning Commission as contained herein; and

**FURTHER**, that the Secretary of the Planning Board is hereby directed to have said revision reflected in the official zoning records of Barton County and that a method be established for tracking this and future actions taken in zoning areas.

**ADOPTED** this 29<sup>th</sup> day of January, 2018.

**BOARD OF COUNTY COMMISSIONERS**

ATTEST:

  
Donna Zimmermann  
County Clerk



  
Jennifer Schartz, Chair

  
Ken Schremmer, Commissioner

  
Homer Kruckenberg, Commissioner

APPROVED AS TO FORM:

  
Carey Hipp,  
County Counselor

  
Don Davis, Commissioner

  
Alicia Straub, Commissioner

ATTACHMENT A

