

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/3LRaY8E>.

April 2, 2024

The Board of Barton County Commissioners convened this 2nd day of April 2024, at the 1500 Kansas location.

Members present:

Barb Esfeld, Commissioner, 2nd District, Chairman

Shawn Hutchinson, Commissioner, 3rd District

Donna Zimmerman, Commissioner, 5th District

Bev Schmeidler, County Clerk

Matt Patzner, Director of Operations

Patrick Hoffman, County Counselor

Members absent:

Duane Reif, Commissioner, 1st District

Tricia Schlessiger, Commissioner, 4th District, (*Chairman Pro-Tem*)

I. OPENING BUSINESS:

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

Commissioner Zimmerman moved to approve the agenda.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

Minutes of the March 26, 2024, Regular Meeting and the March 29, 2024, Special Meeting were not available.

II. OLD BUSINESS:

-There was no Old Business.

III. NEW BUSINESS:

A. PROCLAMATION 2024-02: World Autism Acceptance Month:

-Ros Neeland, Chairman of the Autism Committee, Autism Workshop, Pilot Club, will provide details. World Autism Acceptance Day is recognized on April 2 by Presidential proclamation in the United States of America. Autism is a complex, lifelong developmental disability affecting over five million young people and adults. This Proclamation calls for knowledge and acceptance as it allows people to understand how to be more inclusive and build better, more supportive experiences.

Ros Neeland, Chairman of the Autism Committee, Autism Workshop, Pilot Club, said remember what you were like in 8th grade. Were you too tall, too short, too skinny, too fat, did you have dirty clothes, were you too stupid or too ugly, was your nose too big, chest too flat, that was me and I remember all that was said. There was a girl in her class that was fed dog food, Neeland watched it and hated it happening, but she was unable to find her voice to say something. Bullying did not come just from kids but could also come from teachers and even employers. Children with autism had 63% more chance of being bullied. Many children with autism had language delays or were completely non-verbal. Some comprehend the spoken language but lack expressive language to be able to communicate. This was the case with Neeland's granddaughter, she hears and remembers everything, sometimes from long ago. Answering in the moment for her was difficult. Recently, she shared that she was made fun of at lunch for liking capybaras and axolotls, her favorite two animals. They told her that her lunch was capybara and axolotl. Neeland said her granddaughter found her voice enough to express that she did not want to hear about finding a cure for autism because she did not need to be cured, she was fine as she was. October 5th will be their Autism Workshop and the featured speaker will be Dr. Kerry Magro. Magro was a Doctor of Educational Technology and Leadership. He was a non-speaking child and had autism. Dr. Magro will also speak to

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young adults in USD 428. Neeland introduced Alyson Burkhart and Star, therapy dog, as well as other Pilot Club members: Ruthann Friedrich, Vicki Richardson, Connie Cale, Rhonda Knudson and Betty Schneider.

Rhonda Knudson said Betty Schneider was the incoming Pilot Club President.

Commissioner Esfeld said the workshop was coming up and asked them to share some of the other things Pilot Club does.

Neeland said they were going to try to put together sensory kits for every emergency vehicle if funding allowed it.

Knudson said autism was for life, but it did not have to hold anyone back.

Schneider said early diagnosis was important and school systems were doing much more to help.

Knudson said Sunflower did early testing and helped parents find resources as well.

Commissioner Hutchinson asked what percentage of people were undiagnosed. Schneider said more were being diagnosed all the time and now it was 1 in 36, three or four years ago, it was 1 in 68.

Knudson said with earlier diagnosis, some parents had realized having the same characteristics but may not be as heavy on the spectrum.

Commissioner Hutchinson moved to adopt Proclamation 2024-02, World Autism Acceptance Month.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

B. PROCLAMATION 2024-03: Sexual Assault Awareness Month:

-Aimee Norris, Domestic and Sexual Violence Center Program Director for the Family Crisis Center, Inc., will present the Proclamation. April is designated as Sexual Assault Awareness Month to raise public awareness about sexual violence and to educate communities and individuals on how to prevent sexual violence. The Family Crisis Center provides services for sexual assault survivors at no charge and offers educational and professional training for community members and professionals.

Aimee Norris, Domestic and Sexual Violence Center Program Director for the Family Crisis Center, Inc., said April was nationally recognized as Sexual Assault Awareness Month. They had several events coming up this month in the community. Queen Bees Nutrition had designated two teas, a royal blue tea for Child Abuse Awareness Month and teal colored tea for Sexual Assault Awareness Month. When you purchase tea, you can enter a raffle. Several banks will have a display for a SANE (Sexual Assault Nurses Exam) bags. A bag costs \$30 and people can donate money for the bags. Great Bend Public Library and Barton Community College will have the "What Were You Wearing" display. They plan to have a Battle of the Badges competition between law enforcement and Fire/EMS collecting hygiene products. The winner gets major bragging rights and homemade sugar cookies. Norris read the proclamation.

Commissioner Zimmerman moved to adopt Proclamation 2024-03, Sexual Assault Awareness Month.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

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C. PROCLAMATION 2024-04: Child Abuse Awareness and Prevention Month:

-Saylem Ryff, Child Advocacy Center Program Director, will present details. The Family Crisis Center and Kansas Children's Service League requests that a Proclamation be adopted declaring April, 2024, as Child Abuse Awareness and Prevention Month. The Proclamation states that child abuse and neglect can be reduced by making sure families have the support needed to raise children in a healthy environment and that there are dedicated individuals and organizations in Barton County working to counter these problems.

Salem Ryff, Child Advocacy Center Program Director, said they see children every day that had been abused. Trying to educate the public and children about what abuse looked like and how to prevent it. Trying to intervene with families and get them services that could help support their needs for healthy families and healthy relationships. A family activity was planned for April 28th, at the Brit Spaug Zoo. There will be several booths and a scavenger hunt around the zoo. The theme is Child Abuse Prevention Heroes because there were so many people in this wonderful community working very hard to prevent and educate about child abuse. Ryff read the proclamation.

Commissioner Hutchinson moved to adopt Proclamation 2024-04, Child Abuse Awareness and Prevention Month.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

D. PROCLAMATION 2024-05: National Public Health Week:

-Karen Winkelman, Public Health Director, will present details. The week of April 1 – 7, 2024, is National Public Health Week and the 2024 theme is "Protecting, Connecting and Thriving: We Are All Public Health". The proposed Proclamation declares that public health gives all citizens the opportunity to live their lives to the fullest, with good health, local resources and an environment that values each segment of our population. It also recognizes the efforts of our public health professionals, the Health Department Advisory Committee as well as all partners collaborating with public health in reaching citizens to ensure better preventive habits and longer, healthier lives.

Karen Winkelman, Public Health Director, said public health saved your life today and you probably did not even know it. Heroes in public health had developed vaccines and others who looked at data. Data was very important and data collection went back over 400 years. The department of Epidemiology looked at data, trends and numbers to identify locations of certain diseases as well as other health happenings. They were finding how people died, trends and prevalence in communities. An example was somewhere in the world, a high number of women were dying after childbirth from infection. As they looked at data, it was found that physicians were doing autopsies and then delivering babies without washing their hands. It had to be remembered that data was real people and not to take away individualism. A robust data system modernization was much needed but public health was always low on funding. Winkelman shared a slide show and had an old book of data from August, 1942 to October, 1966. There were pages and pages of measles cases showing outbreaks in our communities as well as polio. The data showed when vaccine became available, the numbers went down. They went to Ellinwood District Hospital recently as part of a focus group identifying gaps. They will be going to Clara Barton Hospital in Hoisington next month to do the same thing. Some services they offer were flu vaccine outreaches, both at the Health Department and with the mobile unit around the county. Last July, with the storms in the area, they provided water bottles and gave tetanus shots. They recently developed a decontamination area for employees after environmental visits to care for the staff. They participate in the Community Baby Shower in June.

Commissioner Zimmerman said she appreciated support and guidance from the Health Department for the 2020 Election during COVID.

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Commissioner Esfeld said the debriefings must work because the employees were still here. Winkelman said she gets a little teary talking about it, it really brought them together. Winkelman said they could not do it alone; they have their Advisory Committee. It consisted of nine members who volunteered their time and meet once a month and go over policies, make sure they were covering the needs of the community and offer suggestions. Dr. Perry Smith, Krista Smith, Dr. Mike Malone, John Stettinger, Emily Young, Jennifer Schartz, Cathy Anderson, Barbara Shirk, Tracey Post and Dr. Jonathan Pike, Medical Consultant. Barton County Commissioners act as the Board of Health in Barton County. Winkelman read the proclamation.

Commissioner Zimmerman moved to adopt Proclamation 2024-05, National Public Health Week. Commissioner Hutchinson seconded the motion. All voted aye. Motion passed.

The Health Department employees stood and introduced themselves.

E. RESOLUTION 2024-13: Application for Approval of a Conditional Land Use Permit for a Described Tract of Land:

-Judy Goreham, Environmental Manager, will provide details. Bronson Smith and Grant Moon, dba ILS Land, LLC aka Mid America Seed, wish to expand their business and develop an agricultural retail facility on land recently purchased at 528 SW 30 Road, Great Bend, Kansas. The site is zoned Agricultural District and an Agricultural Related Business is a conditionally permitted use in this zoning district. A Public Hearing was held on March 14, 2024, to consider the request. The Barton County Planning Commission unanimously recommended that the Barton County Commissioners approve this request.

Judy Goreham, Environmental Manager, said this was a very large tract of land and they want to take the bottom 27 acres or so and designate it for an ag retail facility. There will be a loading and unloading area at the front with an 80' x 100' building. This would be where the trucks pull inside to load or unload. Attached to the back of it would be a 60' x 100' containment area made of concrete. At the public hearing, there were a lot of questions regarding safety concerns on the highway. It was located between Great Bend and Pawnee Rock where numerous accidents had occurred. The highway falls under KDOT jurisdiction and it would be inappropriate for Barton County to go in and do anything. The area where the structures would go was as far west as they could be from the highway. There was plenty of room on the property for multiple trucks. The heavy load would be mostly seasonal and was an opportunity for ILS to have product on hand for their own use as well as the farming industry. There were 8 of the 9 Planning Commission members present and all voted for approval of the request. Stephanie Turner, landowner to the west, had presented a list of questions.

Stephanie Turner said ILS was very capable and responsible but one of her concerns was the increase in traffic with semis trying to get off and back on to the highway. Another concern was water usage.

Grant Moon, Mid America Seed, said one of Turner's questions was if they had 263,000 gallons of product, it would take 150,000 gallons of water to dilute. Moon said it would actually take approximately 30,000 gallons of water. Turner asked Moon how much water that would be annually.

Commissioner Esfeld asked Turner if she said it was a pilot project. Turner said her understanding was that questions needed to be asked during this application process and other buildings could be added later.

Commissioner Esfeld said that there were similar businesses already existing in the county.

Commissioner Hutchinson said the time to ask her questions would have been during the public hearing. Turner said the application was very brief and the public hearing was what brought these questions forth.

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Goreham said she could answer the question about future applications. The reason for them identifying the 27 acres was because the area would be where any future development would be. There would not be a need for another public hearing if they had already been approved for the conditional use. It would be a matter of complying with the floodplain, obtaining building permits and following setback requirements. It would still be zoned agriculture; it was not changing. Goreham said she addressed that question to Patrick Hoffman and asked if he agreed.

Hoffman said ag retail zoning was relatively new. It lets an agricultural area remain agriculture but allows for a business. ILS could not transfer this to someone wanting to have a commercial non-ag business. Hoffman added that Planning and Zoning did not control water.

Goreham said she also issued water well permits and septic permits as a part of her job. She considers their water well as a domestic well unless Groundwater Management District tells her otherwise and then they would assume responsibility.

Hoffman said the County Engineer would probably monitor traffic on the road and adjust signage and speeds in the future.

Barry McManaman, County Engineer, asked Moon if they were talking about ten trucks a day at the most. Moon said that was correct.

McManaman said spread out over the season, you were not talking about that high of volume of traffic. He looked at KDOT traffic counts online and as an example, the average daily traffic count on US 56 Hwy at the southwest corner of Great Bend, was about 5,000 total vehicles with approximately 1,000 of those being heavy trucks. McManaman said he understood the concerns about turning movements but as far as increased traffic, it was minimal.

Turner said she thought a traffic study would be beneficial as it was hard to get onto the highway and would be more difficult in the peak times.

McManaman said it would be up to KDOT to do any traffic study and their perspective would be that SW 30 Road was an existing use. Typically, when they get concerned was when there was a change in use. Goreham said Turner could ask KDOT about a traffic study. McManaman said yes, she could, it would be interesting to hear their response.

Turner said the 2016 Comprehensive Plan talked about rezoning all of Highway 56, both sides, from Great Bend to Pawnee Rock as light industry. Goreham said that was not what it said. The comprehensive plan said it was expected for the future, for businesses to fill in. Goreham said in May of last year, they changed the zoning regulations on purpose so that instead of rezoning property, we have conditional use applications for specific types of uses. We were keeping the integrity of the district but looking at specific business requests. Goreham said the comprehensive plan was designed for the Planning Commission to review every time they received a request, that the business or use, fell under the master plan. At that time, it was expected that there would be businesses running all along the corridors coming to Great Bend, because it made sense.

Hoffman said the comprehensive plan was saying it was expected that things would grow along the corridor.

Turner said using the salvage yard as an example, where it became commercial. Goreham said industrial. Turner said you would expect in the future that the 27 acres that ILS had would become commercial or

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industrial with the success of the business. Goreham said that could be whatever comes in the future. Goreham said currently it was zoned agriculture and if approved today, it would be for an ag retail facility.

Turner asked what triggered the change of use to a zoning change. Hoffman said they would have to go back to Planning and Zoning for permission to do something different at the location.

Mary Anne Stoskopf said if a building permit application was made and it was for something other than the ag retail business or another permitted use for the ag district, there would be a process to go through.

Goreham said regarding Marshall Towing, the reason they had to apply for a different zoning district was because the industrial district was the only one of the seven districts, we had that conditionally allowed a salvage facility.

Turner asked if Moon decided to add another building, would the conditional use permit allow that to happen without any new application. Hoffman said as long as it was consistent with the original application, yes. Hoffman said what could not happen would be for them to sell it to some other business such as light manufacturing or something other than ag business. That would not be allowed.

Turner said the application specified fertilizer. Could other products be sold in other buildings. Goreham said they were requesting an application of approval for an ag retail facility so it could be anything considered ag retail.

Hoffman said it would not qualify if an oil and gas business bought the property and wanted to sell those products.

Turner asked if KDHE had any input about the products being sold.

Hoffman asked Moon about regulations from USDA or Kansas Department of Agriculture. Moon said they follow laws and regulations of Kansas Department of Ag. They approved what they could do and if it were changed, they would still have to follow laws for additional containment or safety on the property.

Junior Welsch said they come in and inspect a couple of times a year.

Commissioner Hutchinson moved to approve Resolution 2024-13, Application for Approval of a Conditional Land Use Permit for a Described Tract of Land.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

Goreham said the only condition of approval was that they comply with floodplain regulations. Until Goreham received a copy of the floodplain development permit from McManaman, she could not issue a building permit.

F. INFORMATION TECHNOLOGY: Request for Proposals – CrowdStrike Endpoint Protection:

-Dereck Hollingshead, Information Technology Director, will provide details. Beginning March 6, 2024, the Information Technology Department began accepting proposals for CrowdStrike Endpoint Protection software for all County owned computers and servers. This included 280 computers and servers needing active endpoint protection through the Enterprise bundle, to include the following modules: Falcon Prevent, Falcon Insight, Overwatch, Firewall Management, Spotlight, Threat Graph and Express Support. Five proposals were received.

Dereck Hollingshead, Information Technology Director, said it was time to renew the antivirus for county computers. After changing insurance providers, they recommended changing vendors, and it was

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decided to go with CrowdStrike. Several bids were received, and Hollingshead asked for approval of the SHI CrowdStrike proposal. The low bid was from CIS Security, but they had stipulations which make it difficult for his department to operate.

Commissioner Zimmerman moved to award the Request for Proposals – CrowdStrike Endpoint Protection to SHI. Total cost, \$19,201.73, to be paid from the General Fund, Information Technology Account, Licensing Line, 001-24-5423.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

G. COUNTY ENGINEER: Kansas Department of Transportation High Risk Rural Roads Project No. 5 C-5265-01:

-Barry McManaman, County Engineer, will provide details. Barton County was awarded Kansas Department of Transportation (KDOT) High Risk Rural Roads Project No. 5 C-5265-01 which involves signing improvements in the southwest part of the County. KDOT will pay for 100% of the design, construction and inspection costs. Barton County will pay 100% of the costs of right of way and utility adjustments, if needed. KDOT has requested the County's approval of this agreement. A separate 3-party agreement for the design work will be processed at a later date.

Barry McManaman, County Engineer, said he was requesting approval of a no passing zone analysis and signing project in the southwest part of the county. We applied for a project to have a consulting firm analyze the need for no passing zones on those routes and once those zones were determined, there would be a signing project. Included in the signing project, it would consist of putting up the no passing pennants. KDOT would pay 100% of the design, the construction and the inspection costs of the project. If there would be a need for any additional right-of-way or utility adjustments, that would be the responsibility of the county. McManaman did not expect that to be this case with this project. KDOT was requesting the county approve the agreement to move forward.

Commissioner Zimmerman asked McManaman how often a section of the county was inspected. McManaman said Road & Bridge would be doing their overlay and chip sealing in the southwest part of the county in 2025. They would then be striping the roads in the fall, so he tried to coordinate the project with the work by Road & Bridge. McManaman said the following year, work would be done in the southeast part of the county, so they had already made application for that area.

Commissioner Hutchinson moved to approve the Agreement between the Secretary of Transportation, Kansas Department of Transportation, and Barton County, Kansas, for High Risk Rural Roads Project No. 5 C-5265-01.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

No Executive Session Held

H. 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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IV. ENDING BUSINESS:

1. Announcements
2. Appointments

V. OTHER BUSINESS:

Commissioner Esfeld – attended the Southwest Development Services meeting. Steve Sandoval was the newly appointed director. The main office had always been in Garden City, but Great Bend would now also be one of the main offices.

VI. ADJOURN:

Commissioner Hutchinson moved to adjourn at 10:27 A.M.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler
Barton County Clerk



Barb Esfeld, Chairman