

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/3LaNF9C>.

January 30, 2024

The Board of Barton County Commissioners convened this 30th day of January 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)
Bev Schmeidler, County Clerk
Matt Patzner, Director of Operations
Patrick Hoffman, County Counselor

Members absent:

Donna Zimmerman, Commissioner, 5th District

I. OPENING BUSINESS:

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

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

Commissioner Reif moved to approve the minutes of the January 23, 2024, Regular Meeting.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

II. APPROVAL OF APPROPRIATIONS: Second 13th Month:

-Bev Schmeidler, County Clerk, will present details. An Accounts Payable Register will be submitted to the Commission for the period ending December 31, 2023. This is considered the second "13th Month" for 2023 expenditures.

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

Commissioner Hutchinson moved to approve 13th appropriations for the period ending December 31, 2023. Authorize the Chairman to sign on behalf of the Commission.
Commissioner Schlessiger seconded the motion.
All voted aye. Motion passed.

III. APPROVAL OF APPROPRIATIONS:

-Bev Schmeidler, County Clerk, will present details. An Accounts Payable Register will be submitted to the Commission for the period of January 16, 2024, and ending January 30, 2024.

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

Commissioner Reif moved to approve the appropriations for the period of January 16, 2024, to January 30, 2024. Authorize the Chairman to sign on behalf of the Commission.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

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IV. OLD BUSINESS:

A. THE LEAGUE OF KANSAS MUNICIPALITIES: 2024 Membership:

-Chairman Barb Esfeld will provide details. The mission of the League is to strengthen and advocate for the interests of the municipalities of Kansas to advance the general welfare and promote the quality of life of the people who live within Kansas. This item was tabled on January 2, 2024.

Commissioner Esfeld said she spent last Tuesday and Wednesday in Topeka and came away feeling refreshed. The last few years had been disappointing, and she did not feel like things moved along as they should have. The League of Kansas Municipalities covered cities and the Kansas Association of Counties covered counties. It was not necessary to belong to both organizations.

V. NEW BUSINESS:

A. COMMISSION DISCUSSION: Quivira Water Rights Impairment Issue:

-Commissioner Tricia Schlessiger will provide details. The Commissioners joined officials from surrounding Counties to discuss the potential Quivira Water Rights Impairment issue on January 29, 2024.

Commissioner Schlessiger said Commissioner Reif, Commissioner Hutchinson, Matt Patzner, Patrick Hoffman and herself attended the joint meeting in Stafford County. The meeting was organized by Pawnee County Commissioner and KNRC President, Bob Rein. There were commissioners from Stafford, Barton, Rice, Pawnee, Kiowa, Reno and Pratt counties as well as representatives from Stafford County Economic Development, GWMD#5 and local citizens. KNRC Director Tracey Barton led the meeting. Topics discussed were policy coordination, Home Rule and land use policy. Barton spoke extensively about policy coordination which was the coordination of federal plans with state and local government. Barton said this was an obligation that congress placed on federal agencies through the specific federal laws. The group felt that if affected counties and cities would come together and request a meeting with the U.S. Fish and Wildlife Services, there could be discussion about the impact any changes on water permitted amounts would have on local schools, cities, townships and counties and the potential devastation it could have on the tax base in those areas. Barton County wished to remain involved in the process. GWMD#5 announced that their annual meeting would be February 15th and Commissioner Schlessiger planned to attend.

Commissioner Reif said it was important to keep up with it as everyone would be affected. It was going to get worse and was a serious issue.

Commissioner Esfeld said they had an attorney that would help write the coordination plan. KNRC was instrumental in the process.

Commissioner Schlessiger said she felt the letter that KNRC wrote to the chief engineer was well written.

Commissioner Hutchinson said his biggest take away was not the issue at hand, which was very important, but overreaching federal agencies trying to scoop up authority away from counties. Seeing the counties' unified cooperation was great.

Commissioner Schlessiger said they explained that federal agencies had to communicate with local government.

Patrick Hoffman said he was impressed with Margaret Byfield, she gave him a different perspective. Initially, he thought it was going to be about trying to preempt federal law, but it was more about working with federal law. Earning about local rules and making a local plan was a good idea but coordinate with GWMD#5 so something was not done inadvertently to affect their situation.

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Commissioner Schlessiger said Margaret Byfield was with The American Stewards of Liberty and also present was Nathan Descheemaeker, a Senior Policy Analyst based out of Montana.

B. RESOLUTION 2024-05: Application for Approval of a Conditional Land Use Permit for a Described Tract of Land:

-Judy Goreham, Environmental Manager, will provide details. Scott Liebl, dba Liebl Welding LLC, wishes to expand his business at 883 NE 120 Ave, Claflin, Kansas. The site is zoned Agricultural District and a Small Scale Non-Agricultural Related Business is a conditionally permitted use in this zoning district. A Public Hearing was held on January 11, 2024, to consider the request, and it was unanimously recommended by the Planning Commission that the Barton County Commissioners approve this request.

Judy Goreham, Environmental Manager, said this was the second situation utilizing the new regulations. Scott Liebl wanted to put in an additional building on his property so he could expand his business. In 2010, he got a permit for a shed and turned the property into a thriving welding business. Asking today for a Conditional Land Use Permit instead of rezoning the property. There were two criteria that Liebl meets, the small scale business shall be located and designed in a manner that mitigated impacts such as odor, noise, dust, glare, lighting, exhaust smoke, etcetera on any adjacent residence. The business and/or persons must maintain any county, state or other required permits and/or licenses and comply with all local county and state regulations. A public hearing was held January 11th and every Planning Commissioner present voted in favor of asking the commissioners to approve. The property was located south and west of Claflin at Northeast 120 Avenue and 156 Highway. No landowners had any issues.

Commissioner Reif said it was great that a business was expanding.

Commissioner Hutchinson asked Goreham to touch on how the new rules help. Goreham said it left the property zoned the way it was and controls future changes that could happen on that property. If the property were to be rezoned to light manufacturing, for instance, there would be numerous businesses that could potentially go in that property by a future landowner. Keeping it zoned as it was originally protects adjoining landowners and the county.

Commissioner Schlessiger moved to approve Resolution 2024-05, Application for Approval of a Conditional Land Use Permit for the Described Tract of Land.

Commissioner Reif seconded the motion.

All voted aye. Motion passed.

C. SOLID WASTE: Repair of Caterpillar 826K Compactor Transmission:

-Jennifer Hamby, Solid Waste Director, will provide details. The Barton County Landfill operates a Caterpillar 826K Compactor to push and compact trash. In December, 2023, the pump to the hydraulic cooling fan motor went out, causing damage to the shaft roller bearing, all pistons and the swash plate. This damage caused brass shavings to enter the hydraulic system. Foley Industries installed a new fan pump, reconditioned the hydraulic fan motor and flushed the hydraulic system. Total repair cost is \$18,811.62. Monies are available in the Solid Waste Fund for this repair.

Jennifer Hamby, Solid Waste Director, said it took about a month to complete the repairs. Foley came on site several times and flushed it more than once. Landfill staff tried some things with the assistance of Foley over the phone, but it was more than they could handle.

Commissioner Reif said he gave them credit for trying to fix it themselves. Hamby said that was normal practice, they try to troubleshoot. Foley works with them over the phone but some repairs they are unable to do themselves. Foley was short handed right now so they were always willing to help.

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Commissioner Schlessiger asked Hamby if the compactor was now out of warranty. Hamby said yes, it was, the warranty on the rebuilds was three years/5,000 hours. The 5,000 hours was up last September and the three years ended in October.

Commissioner Reif moved to approve the payment of the \$18,811.62 billing from Foley Industries for the transmission repair of the 826K Compactor. Cost to be paid from the Solid Waste Fund, Maintenance of Machinery and Equipment Line, 140-68-5460.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

Commissioner Esfeld asked Hamby about filming videos at the landfill for the Facebook page. She would like to make videos for various departments to show taxpayers.

D. ELECTION: Help America Vote Act Security Grant:

-Ms. Schmeidler will present details. The Clerk's Office received a \$94,096.91 Help America Vote Act (HAVA) Security Grant. Previous purchases include additional security for election equipment storage, a new trailer and rolling bags. This portion of the project includes security locking mechanisms, cameras and a server. It is suggested that the cost of the project be taken from the Equipment Replacement Fund, with reimbursement made once the grant funding is received. It is noted that this is a 90 / 10 grant.

Bev Schmeidler, County Clerk, said this was the final piece of the grant application and asked for approval of the low bid.

Commissioner Schlessiger moved to approve the low bid from NexTech for a total cost of \$17,688.57. Cost to be paid from the Equipment Replacement Fund, General Line, 072-00-6380.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

No Executive Session Held

E. EXECUTIVE SESSION:

-Chairman 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.

VI. ENDING BUSINESS:

1. Announcements
2. Appointments

VII. OTHER BUSINESS:

Commissioner Esfeld – attended the KLPG Meeting in Topeka and there was discussion regarding HB 2508 which was tied in with LAVTR monies.

VIII. ADJOURN.

Commissioner Schlessiger moved to adjourn at 9:36 A.M.

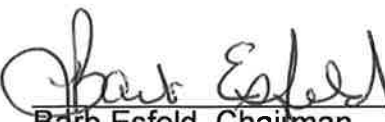
Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler
Barton County Clerk


Barb Esfeld, Chairman