

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**

December 28, 2020

The Board of Barton County Commissioners convened this 28th day of December 2020, at the Barton County Courthouse.

Members present:

Kirby Krier, Commissioner, 1st District
Homer Kruckenberg, Commissioner, 2nd District
James R. Daily, Commissioner, 4th District (Chairman Pro-Tem)
Jennifer Schartz, Commissioner, 5th District Chairman
Bev Schmeidler, Assistant Deputy County Clerk
Phil Hathcock, County Administrator
Patrick Hoffman, County Counselor

Members attending via Teams®:

Don Davis, Commissioner, 3rd District
Donna Zimmerman, County Clerk

I. OPENING BUSINESS:

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

Commissioner Daily moved to approve the agenda.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

The minutes of the December 14, 2020, and the December 21, 2020, Regular Meetings were not available.

II. APPROVAL OF APPROPRIATIONS: SPARK and Other Year End Expenditures:

-An Accounts Payable Register will be submitted to the Commission for final accounting of SPARK and other year-end expenditures. The majority of these expenditures must be made by December 28, 2020.

Phil Hathcock, County Administrator said this was a special accounts payable run for the end of year. It involved SPARK funding as well as some end of year business for the Clerk's Office.

Commissioner Krier moved to approve SPARK and other year-end appropriations for the period ending December 28, 2020 contingent on the approval of item C.

Commissioner Daily seconded the motion.

All voted aye. Motion passed.

III. OLD BUSINESS:

There was no Old Business.

IV. NEW BUSINESS:

A. RESOLUTION 2020-20: Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land:

-Environmental Management received an application from AMG Technology Investment Group dba Nextlink for the construction of a 120' Monopole Type Telecommunications Tower on a parcel of land owned by Michael Huddleston, located approximately three miles north of Pawnee Rock, Kansas. A Public Hearing was held on December 8, 2020, by the Barton County Planning Commission to consider authorizing a Conditional Land Use permit. The Barton County Planning Commission unanimously recommended that County Commissioners approve the request.

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Judy Goreham, Environmental Manager, said she was contacted in September by AMG Technology of Texas, dba Nextlink who wants to provide internet service in Barton County. They are working to install equipment on elevators and existing towers plus install new towers to increase service for the dead zones. The towers will be monopoles, similar to a streetlamp, only 120' tall and secured in the ground in concrete. Nextlink is looking for areas in the county with a 5-mile radius so there would be no dead zones greater than 5 miles. Today was the first request of 5 proposed towers in the county. This request is for a tower located approximately 3 miles north of Pawnee Rock. The land owned by Michael Huddleston has a large yard with an area large enough to accommodate the tower and would not interfere with his water well, septic tank or any structure. When a tower is constructed, there must be a fall zone in all directions equivalent to the height of the tower. It cannot cross a property line, road, utility or hit anything. Goreham said a letter was sent to all landowners within 1000' of the entire parcel regarding the public hearing to allow them to comment or ask questions. Goreham said no one attended the public hearing or called with any concerns. They also learned that the company would have high powered equipment installed on an existing tower north of Great Bend, but it is unknown which tower at this time. From that tower, the big signal would be broadcast into the county, out to the other towers they are looking to build. Goreham said they understood as part of the CARES grant, they were working with Pawnee County schools and Great Bend and Hoisington schools to provide better internet coverage to rural residents for the kids who are home schooling due to COVID-19. Goreham reported it has nothing to do with cellular service and they have no intentions of allowing any other companies to install equipment on their towers.

Commissioner Daily asked what residuals the property owner would get. Goreham said the Planning Commission was told they would receive free internet service. One of the members commented that that did not seem like much but the Nextlink representative stated that it was valued at \$120/month because it was super-fast internet. The Planning Commission requested a copy of the contract, but the monetary section was redacted. If the property were to sell, it would transfer to the new owner.

Commissioner Schartz said she did not think our area would support it at \$120/month.

Goreham said that another application would be coming in January. A landowner near that property, who lives in the Kansas City area contacted Goreham and was familiar with Nextlink. That landowner plans to attend the next public hearing and had a different understanding of the monetary exchange. He said it was a lot more than free internet.

Commissioner Krier asked Goreham if there would be a strobe light on the tower. Goreham said no because it would be under 200'. This location is not in the flyway and not a concern to the airport since it would be under 200'.

Commissioner Daily moved to approve Resolution 2020-20, Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land.
Commissioner Davis seconded the motion.
All voted aye. Motion passed.

B. RESOLUTION 2020-21: Transfer of Funds, General Fund to All Stars:

-The Commission approved a transfer of \$3,000.00 from the Finance General Account of the General Fund to All Stars with the adoption of the budget. As there is no specific statute that allows such a transfer, it can only be made via Resolution. It is noted that All Stars is a school-based intervention program designed to reduce adolescent engagement in risk behaviors such as substance use, violence, and sexual activity.

Matt Patzner, Finance Officer, said the commission had approved the \$3,000 transfer with the adoption of the budget. Patzner asked the commission to adopt Resolution 2020-21.

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Commissioner Krier moved to adopt Resolution 2020-21, Transfer of Funds, General Fund to All Stars. Commissioner Daily seconded the motion. All voted aye. Motion passed.

C. ADMINISTRATION: SPARK Funding Distribution:

-Barton County has received the necessary documentation from the State Office of Recovery to distribute SPARK funding for the cost or reimbursement of COVID-related expenses.

Phil Hathcock, County Administrator, said Sue Cooper had worked very hard to get to this day and noted this was the final approval of the distribution of SPARK funds received earlier this year. The county received a little more than \$5.2 million to distribute to local cities, schools, and other entities for COVID-19 relief. Included are some contractual services for nurses at the Health Department, touchless faucets for the courthouse and other county buildings, wrap up of the 800 repeater install project, election postage costs, a myriad of network upgrades for mitigating COVID-19 doing TEAMS meetings and the remaining to be allocated to payroll for employees doing COVID response since March. Hathcock said also included was the rent to JKAT for the Treasurer's Annex.

Commissioner Daily asked if the payroll amount of \$737,000 was to cover all the departments for COVID response. Hathcock said it was for Health Department, Sheriff's Office and 911 Communications.

Commissioner Schartz asked if this action would clear out that fund. Hathcock said it would. Commissioner Schartz asked how the traveling nurses hired at the Health Department would be paid going forward when the SPARKS money was gone. Hathcock said that was part of the payroll being set back.

Commissioner Davis moved to approve the final distribution of SPARK funds. Total payment of \$818,457.47 to be made from the SPARK Fund.

Commissioner Daily seconded the motion.

All voted aye. Motion passed.

Commissioner Daily said Sue Cooper had done an outstanding job in administering the funds and getting it distributed.

Commissioner Schartz said having Cooper here had saved the county a lot of money and noted some counties had to pay up to 5% for someone to administer the funds.

Commissioner Daily said it was not an easy task to get rid of \$5,000,000 in as short an order as this had been distributed.

D. RESOLUTION 2020-22: A Resolution Establishing Consent of Purchases and Rescinding Resolution 2013-13, Same, Adopted June 24, 2013:

-Barton County has historically used a "Consent of Purchase Policy" describing the manner and method under which purchases will be made. The policy was last revised in 2013. Resolution 2020-22 has been drafted to include current methodology and now includes non-competitive and grant procurement practices.

Phil Hathcock, County Administrator, said this resolution was propagated by all the grants and various funding sources received both federally and from the state. The policies that have been in practice since 2013 were verbalized but not necessarily in a resolution. Sue Cooper, Matt Patzner and Phil Hathcock went through the purchasing policies and prepared the resolution. A lot of grants require that this verbiage be in place. Hathcock said it did not change from the 2013 resolution in that any purchase over \$2,000 must go before the commission for approval. This resolution outlines the bidding process the county will use going forward. Also included in the resolution are repairs made on equipment which are

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over \$5,000 or more than the equipment is valued at, would go before the commission. This procurement policy does not include consumable supplies.

Commissioner Daily moved to adopt Resolution 2020-22, A Resolution Establishing Consent of Purchases and Rescinding Resolution 2013-13, Same, Adopted June 24, 2013.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

E. RESOLUTION 2020-23: A Resolution Defining the Purchasing Bids and Tabulation Process for Barton County, Kansas:

-To further provide consistency in the County's purchasing practices, a policy has been developed that outlines the purchasing bids and tabulation process that will be used by County officials. The policy will help to insure uniform and transparent County practices.

Phil Hathcock, County Administrator, said this resolution was also driven by grant funding. The county needs to formalize the purchasing bids and tabulation processes for grants. This policy ties back to the resolution just passed.

Commissioner Krier moved to adopt Resolution 2020-23, A Resolution Defining the Purchasing Bids and Tabulation Process for Barton County, Kansas.

Commissioner Daily seconded the motion.

All voted aye. Motion passed.

F. SPECIAL ALCOHOL FUNDING: 2020 Fund Distribution:

-Barton County has solicited applications for the distribution of Special Alcohol monies. The monies, derived from the 10% gross receipts tax on the sale of liquor in private clubs, may be expended only for the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers. Following the last distribution, there is \$2,886.19 available for disbursement. Applications were accepted following a public announcement period.

Phil Hathcock, County Administrator, said there were two applications received for special alcohol funding for 2020. This year there was \$2,886.19 available for disbursement. The applications were from Central Kansas Dream Center and Project Dream Inc. Hathcock the money was divided between the two applicants but may be changed.

Commissioner Daily asked if the two applicants were the same entity. Hathcock said he did not believe so.

Commissioner Schartz said in the past, we had always helped fund DARE and asked if they applied. Hathcock said they did not apply this year and stated he did not know why. Commissioner Schartz asked if there was still going to be DARE in the county. Hathcock said he did not know but could report back.

Commissioner Krier said Sheriff Bellendir said they had held back on DARE due to COVID.

Commissioner Krier moved to approve the 2020 distribution of the Special Alcohol monies as follows:

Central Kansas Dream Center	\$1,443.10
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Project Dream Inc	\$1,443.09
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Commissioner Davis seconded the motion.

All voted aye. Motion passed.

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G. DISTRICT CORONER: Appointment of Special Deputy Coroners:

-Dr. Patrick Stiles term as District Coroner became effective November 1, 2020. Dr. Stiles has subsequently made recommendation as to the appointment of Special Deputy Coroners as prescribed by Kansas Statutes and by Resolution 2006-11, District Coroner. Special Deputies serve one-year calendar terms.

Phil Hathcock, County Administrator, said Dr. Stiles was appointed District Coroner on November 1st and has recommended the following Special Deputy Coroners. Hathcock read the list.

Commissioner Daily asked if the Special Deputies were compensated when called out. Hathcock said yes, they are compensated per call as well as mileage. Commissioner Daily asked if the ones from other counties are paid by those counties. Hathcock said yes.

Commissioner Krier said he wanted to recognize Dr. Patrick Stiles. He said he has been a huge asset to this county and moved to appoint the following Special Deputy Coroners for a term ending December 31, 2021:

County	Name	Type
Barton	Dustin Daniels	Special
Barton	Terra DeCarolis RN	Special
Barton	Scott Fleming	Special
Barton	Meghan Kern RN	Special
Barton	Jenny Parker LPN	Special
Barton	Sheila Phillips MA	Special
Barton	Melissa Prosser	Special
Barton	John Stettinger	Special
Barton	Laura A Webster RN	Special
Ellsworth	Shawn McGowan, PA	Special
Russell	Steve Boltin	Special
Stafford	Melissa Dove, RN	Special
Stafford	Doris Tompkins, RN	Special

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

H. FIRE DISTRICT NO. 2: Appointment of a Board of Trustees:

-Per Resolution 2018-10, which created Fire District No. 2, the members of the Fire District Board of Trustees shall consist of not more than one (1) appointee from each participating township and not more than one (1) from each participating city. Trustee positions were advertised and remain unfilled for North and South Homestead Township for terms expiring in 2022 and for Union Township expiring in 2021. All terms are uncompensated.

Phil Hathcock, County Administrator, said the county had not received this application prior to last weeks meeting when appointments were made. Hathcock said Richard Lacey applied to represent North Homestead Township.

Commissioner Daily moved to appoint Richard Lacey to represent the North Homestead Township on the Board of Trustees for Fire District No. 2, County of Barton, Kansas. Said appointee shall serve for a term ending December 31, 2022.

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

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I. SOLID WASTE: Annual Review of the Solid Waste Management Plan:

-Per KSA 65-3405, Barton County is required to form and maintain a Solid Waste Planning Committee to develop and perform an annual review of the Solid Waste Management Plan, which is then approved by the Commission and submitted to the Kansas Department of Health and Environment. The committee has reviewed the Solid Waste Management Plan. It is recommended that no changes be made at this time.

Phil Hathcock, County Administrator, said the Solid Waste Management Plan must be reviewed annually by statute and noted the plan was unchanged from last year. By statute, it must be changed comprehensively every 5 years which will be done next year. The committee met Monday, December 21st and there were no changes recommended to the plan.

Commissioner Daily moved to approve the 2020 annual review of the Solid Waste Management Plan as recommended by the Solid Waste Planning Committee.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

J. INFORMATION TECHNOLOGY: Operating Improvements:

-Office 365 Business enables all computer users to have email hosting, protection and archiving as well as a desktop version of Office. It is suggested that the Commission approve the purchase of licenses for up to 186 users. Total cost of service for 2020 is \$30,856.09.

Dereck Hollingshead, Information Technology Director, said it was time to renew the Microsoft 365 annual licenses. Hollingshead explained Microsoft 365 enables Barton County to do a lot of things including email for all our departments, the ability to secure our email, email backup, which is statutorily required, the ability to install the latest version of Microsoft Office on all computers countywide and the license to utilize Microsoft Teams®. Microsoft Teams® has been very helpful during COVID and has allowed for the streaming of commission meetings as well as other conference calls that employees needed to attend. Hollingshead said OPI provided the low bid at of \$35,344.33 and noted they are local. The difference of approximately \$5,000 from last year due to a change in how Microsoft licenses the office installs of our computers.

Hollingshead said we no longer have a server in the building, county business could continue in the event of an emergency. We no longer have maintenance agreements for that server, so this has been a good service for the county.

Commissioner Krier asked if this was a very secure service, do the Sheriff Officers use this in their patrol cars. Hollingshead said yes, they do use it.

Commissioner Krier moved to purchase licensing of Office 365 Business Platform and Advanced Threat Protection from OPI, here in Great Bend, Kansas. Cost of service, not to exceed \$35,344.33, to be paid from the 2021 Budget, General Fund, Information Technology Department, Maintenance of Machinery and Equipment Line, 001-24-5460.

Commissioner Daily seconded the motion.

All voted aye. Motion passed.

K. ENGINEERING: Redwing Intersection Improvements:

- Two small triangles of right of way need to be purchased to allow the ditches to be reconfigured when the new concrete drainage box at the intersection of K-4 and NE 60 Ave is constructed. The landowners have been contacted and asked to sign a Memorandum of Agreement that details the legal descriptions and the purchase price. The Commission will be asked to approve the purchases.

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Barry McManaman, County Engineer, said the county will need to purchase two small triangles of right of way for the Redwing intersection project. The purpose was because the ditches need to be reconfigured when we build the new concrete drainage box to move it farther away from K-4 Highway. McManaman said he contacted the landowners and said they agreed to the purchase price. McManaman asked for approval to pay Terry Schremmer \$570 for the right of way on the west side and Everett Hitschmann \$440 for the right of way on the east side.

Commissioner Krier thanked the commissioners for their continued pursuit of this project. Krier said there was a horrible accident there a few years ago that almost took a young person's life. Krier said ten to fifteen years ago, he took his own semi and trailer to that location to demonstrate the turn could not be made without going into the other lane of traffic and actually beyond it to make the turn and noted this would be a huge improvement.

Commissioner Schartz said there was also a hill impeding views.

Judy Goreham said this makes her emotional and stated the accident happened three years ago last week and was the daughter of her best friend. Goreham said this would be a huge improvement to improve the safety of everyone traveling that road and thanked the commissioners.

Commissioner Schartz asked McManaman what if he knew the start date for the project. McManaman said utilities would be moved in January and would tentatively go out for bids in February with construction beginning in late spring, early summer.

Commissioner Daily moved to approve the purchase of right of way from Terry L. Schremmer for the amount of \$570.00 and Everett Hitschmann for the amount of \$440.00 for the parcels that were outlined by County Engineer McManaman. Funds to be paid from Special Bridge Fund, Right of Way, Line number 003-92-6270-92.

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

V. ENDING BUSINESS – After new items are heard by the Commission, the following items, including announcements, will be heard.

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

There was no other business.

VII. ADJOURN.

Commissioner Davis moved to adjourn at 9:42 A.M.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

ATTEST:

Bev Schmeidler
Barton County Assistant Deputy Clerk

Jennifer Schartz, Chairman