

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/3iCsuiZ>

November 9, 2021

The Board of Barton County Commissioners convened this 9th day of November 2021, at the Barton County Courthouse.

Members present:

Kirby Krier, Commissioner, 1st District

Barb Esfeld, Commissioner, 2nd District

Shawn Hutchinson, Commissioner, 3rd District (*Chairman Pro-Tem*)

James R. Daily, Commissioner, 4th District, Chairman

Jennifer Schartz, Commissioner, 5th District

Donna Zimmerman, County Clerk

Barry McManaman, Interim County Administrator

Patrick Hoffman, County Counselor

I. OPENING BUSINESS:

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

Commissioner Hutchinson moved to approve the agenda.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Minutes of the October 26, 2021, and November 2, 2021, Regular Meetings were not available.

II. APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of October 26, 2021 and ending November 9, 2021.

Commissioner Esfeld moved to approve appropriations for the period of October 26, 2021, to November 9, 2021. Authorize the Chairman to sign on behalf of the Commission.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

III. OLD BUSINESS:

A. RESOLUTION 2021-19: A Resolution Establishing a Certificate of Authority for Grants and Federal Funding Management:

-It is necessary to appoint authorized personnel to carry out the management of grants and federal funds. These grant and federal funding management activities may include but are not limited to: managing Barton County's System for Award Management (SAM.gov) registration, entering into legal agreements as approved by the Barton County Commissioners, requesting funds, submitting financial reports, assigning user roles, and carrying out all other administrative functions relative to the proper execution of grants and other federal funding. This item was tabled on August 9, 2021.

Sue Cooper, Grant Coordinator, said we moved forward earlier with the authority for ARPA funds. The second part is adopting the resolution to establish a SAM.gov entity administrator. Resolution 2021-19 delegates that responsibility to better manage Federal funding, creates various levels of accountability and allows designees to execute documents. Cooper noted there is an opportunity to add any number of people but recommended three individuals be designated.

Cooper said SAM.gov is a website (hub) used for grant administration dealing with Federal funding. When you assign an entity administrator you are keeping the county's registration current. The agency administrator can assign points of contact, able to check entity registration for grants, and financial agreements can be reviewed, for example.

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Commissioner Schartz moved to adopt Resolution 2021-19 a resolution establishing a Certificate of Authority for Grants and Federal Funding Management, appointing Barry McManaman, Interim County Administrator; Sue Cooper, Grant Coordinator; and Matt Patzner, Finance Director, as authorized personnel to carry out the management of grants and federal funds and designate Sue Cooper, Grant Coordinator, to be the entity administrator for the System Award Management (SAM.gov).

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

IV. NEW BUSINESS:

A. COMMISSION: United Way – Employee Contributions:

-Workplace giving campaigns are vital to United Way's local success. Donations though payroll and one-time contributions combine to give United Way the opportunity to bring results to our own backyard. Through combined donations, we become a part of a larger mission that allows United Way's 22 community partners to focus on education, financial stability, and health. Commissioner Barb Esfeld will ask that the Commission join in asking County employees to support the United Way.

Commissioner Barb Esfeld said the past several years she has been the contact person for United Way. Esfeld wrote a letter on behalf of the Commission to thank the employees for their generosity and asked her fellow commissioners for their support. Esfeld noted the employees are still free to choose whether they can contribute.

Commissioner Krier moved to join in providing County employees a letter supporting United Way and encouraging contributions.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

B. COMMISSION: Rural Opportunity Zone Student Loan Repayment Program

-The Rural Opportunity Zone (ROZ) Student Loan Repayment Program provides up to a \$15,000 benefit as a workforce recruitment tool for eligible persons establishing domicile in Barton County. The Kansas Department of Commerce requires counties to pass a resolution obligating them to participate in this ROZ program for at least five years.

Sue Cooper, Grant Coordinator, said the State of Kansas has designed ninety-five counties as rural opportunity zones. In 2021 the State defined ROZ as counties under 40,000 people. There are two benefits to being ROZ qualified: 1) Student loan program for up to \$15,000 in student loan with an established address in Barton County. Cooper noted domicile is different than residency. It is your legal residence. The student cannot be a prior resident of Barton County as it is a recruitment tool. The student would need proof of permanent residency outside of Barton County. 2) 100% income tax credit. Again, based on domicile. Easy to receive this benefit. All you must do is file your Kansas income taxes on the state website. Would have to reside outside of Barton County and establish domicile. This is for the tax year after. There is a match of \$3,000 the graduate would receive. Fifty percent covered by the county and 50% covered by the state.

Commissioner Krier said we would at least want to adopt option two. BTI for example helps their employees if they commit to come back after graduation. If the county does the match and that individual goes to business X, business Y is their competition, we are actually putting someone in competition business wise.

Commissioner Schartz said with Option two the county would not be putting any money in, but they would still receive the state income tax.

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Commissioner Hutchinson said he, Jim Jordan, Barry McManaman, and Barb Esfeld attended a session at KAC and said Barton County does not look very competitive on the map. If we donated something it would put us on the map and would not exclude us from being considered.

Cooper said this is an annual resolution and can be considered again next year.

Option 2:

Commissioner Esfeld moved to adopt Resolution 2021-24, a resolution authorizing Barton County's participation in the Rural Opportunity Zone Student Loan Repayment Program allocating \$0.00 for the 2022 calendar year, for the purposes of the qualifying participant(s) to identify a sponsor to provide the equal share match to the State of Kansas.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

C. COUNTY ENGINEER: Redwing Intersection Improvement Project No. 4-5 KA-5588-01:

-The final cost for the Redwing Intersection Improvement Project was \$296,172.90, which reflects an overrun of \$1,641.00 as the approved L & M Contractor's bid was \$294,531.90. Change Order No. 1 has been prepared to document the final quantities for each pay item. Upon the approval of the Commission, an additional \$1,641.00 needs to be encumbered in order to make the final payment. KDOT will reimburse the County \$206,745.00 as per the project agreement.

Barry McManaman, County Engineer, said it is happy news to report the Redwing intersection project is complete. McManaman said there was a cost overrun of \$1,641 and said it was a typical construction project with various overruns and underruns in various areas.

Commissioner Schartz said to only be off by \$1,631 on a \$300,000 project means it was calculated pretty close.

Commissioner Krier said there has been a lot of wrecks at that intersection, but the intersection is impressive now.

McManaman said it is known unofficially as the Aubrey Project after Aubrey Hoffman who had a terrible accident at that intersection a few years back.

Commissioner Schartz moved to approve Change Order No. 1 and encumber an additional \$1,641.00 to the Redwing Intersection Improvement Project No. 4-5 KA-5588-01 through the Special Bridge Fund, Construction Related Items Line, 003-92-6191-02.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

D. ROAD AND BRIDGE: Dredge Pump Purchase and Repair:

-The pump on the dredge at County Sandpit P901 (Ellinwood) is in need of repair. The Commission directed Darren Williams, County Works Director, to determine the cost of a replacement as well as determine the repair cost. At this time, the Commission will consider purchasing a new pump as well as needed parts to repair the current unit. The current pump will then be utilized as a secondary unit.

Darren Williams, County Works Director, said he received two quotes from Midwestern Metals of Topeka, Kansas. Their first quote was for \$43,225.57 for the parts only to repair the pump on the dredge. The second quote was for \$76,520.60 for a new pump. Williams requested a new pump and parts to repair the original pump to have as a backup. With the purchase of the new pump and parts for the old pump, Midwestern Metals will not charge for freight which would save the county up to \$2,000.

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Commissioner Daily asked how much is pumped on an annual basis and how long this pump had been in operation. Williams said since 2015 and they pump on average a quarter million tons of sand, not including clay balls, egg rock and blow sand.

Commissioner Krier moved to approve the purchase of a new pump and parts to repair the existing pump on the dredge at County Sandpit P901 (Ellinwood) at a cost of \$119,746.17 as quoted by Midwestern Metals, Inc. Cost to be paid from the Road and Bridge Fund, Equipment Replacement Fund, Line 072-00-6485.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

E. COUNTY COUNSELOR: Agreement for Purchase and Sale of Real Estate:

-In order to protect the County's commitment to infrastructure, it is suggested that the Commission consider the purchase of ground in the W/2, Sec. 5, T20S, R11W. It is anticipated that the County would purchase approximately 53 acres of land adjacent to Sandpit P901.

Patrick Hoffman, County Counselor, said we have the opportunity to purchase some acreage and suggested the commission go into executive session.

At 9:37 A.M. Commissioner Hutchinson moved to go into executive session for the purposes of real estate acquisition with the commission, the Interim County Administrator; Donna Zimmerman, our County Clerk; and Patrick Hoffman, our County Counselor until 9:55 A.M.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

At 9:55 A.M. Commissioner Hutchinson moved to come out of executive session and back into regular session with no action taken.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Hoffman said the county would have until March 2022 to core-drill, do survey work and talk to individuals regarding a gas line on the property.

Commissioner Schartz said this is a huge amount of money but will help the county provide sand for 15-20 years and possibly even longer.

Commissioner Hutchinson said he was not in favor of a sandpit early on, but the county only has two choices, either move the sandpit or buy the additional land.

Commissioner Krier moved to approve the Agreement for Purchase and Sale of Real Estate in reference to an approximate 53-acre tract in the W/2, Sec. 5, T20S, R11W as owned by Marvin C. Sessler, individually and as the manager and authorized signor for CLS Barton, LLC. Direct the Finance Officer to encumber the cost of lands, estimated at no more than \$280,000.00, to the escrow agent, Smoky Hill Title Company. Monies to be encumbered as follows from the Capital Improvement Fund:

Road and Bridge Line, 071-00-6335 \$238,495.86

General Fund, Improvements not Buildings, 071-00-6310 \$ 41,504.14

and from that sum, pay the initial deposit of \$10,000.00 to Smoky Hill Title Company. The balance of the purchase price to be paid upon satisfaction of the contingencies and conditions of the contract.

Commissioner Hutchinson seconded the motion.

Donna Zimmerman, County Clerk, questioned the amounts.

Matt Patzner entered the room and presented the Commission an updated motion with corrected amounts.

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Commissioner Hutchinson withdrew his second.
Commissioner Krier withdrew his motion.

Commissioner Krier moved to approve the Agreement for Purchase and Sale of Real Estate in reference to an approximate 53-acre tract in the W/2, Sec. 5, T20S, R11W as owned by Marvin C. Sessler, individually and as the manager and authorized signor for CLS Barton, LLC. Direct the Finance Officer to encumber the cost of lands, estimated at no more than \$280,000.00, to the escrow agent, Smoky Hill Title Company. Monies to be encumbered as follows from the Capital Improvement Fund:

Road and Bridge Line, 071-00-6335 \$225,385.86

General Fund, Improvements not Buildings, 071-00-6310 \$ 54,614.14

and from that sum, pay the initial deposit of \$10,000.00 to Smoky Hill Title Company. The balance of the purchase price to be paid upon satisfaction of the contingencies and conditions of the contract.

Commissioner Hutchinson seconded the motion.

Dale Hogg asked where this land is in relation to the existing sandpit. Commissioner Hutchinson said it is directly to the north.

Damien Knop, Knop Sand Company, said he has been in contact with Marvin Sessler for years to purchase the land and explained it started at \$10,000 per acre and was negotiated to \$5,000 per acre. Knop said he does not think it is the county's agenda to put them out of business, but this purchase will within two years. Knop said he proposed buying twenty-one acres and said he had already been in contact with Kansas Pipeline Company.

Commissioner Hutchinson said Mr. Sessler did not just want to sell the land above or below the easement but wants to sell all of it. Hutchinson said we can discuss this today at 2:00 P.M.

All voted aye. Motion passed.

V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

- Comm Krier: This is a successful day for the County to acquire this property. Knop will be very happy.

VII. ADJOURN.

Commissioner Schartz moved to adjourn at 10:11 A.M.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:

Donna Zimmerman
Barton County Clerk

James R. Daily, Chairman

EXECUTIVE SESSION: (Held during study session)

The Commission entered into Executive Session.
No details were made available.