

# 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](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/32UraT7>

February 2, 2022

The Board of Barton County Commissioners convened this 2<sup>nd</sup> day of February 2022, at the Barton County Courthouse.

## *Members present:*

Kirby Krier, Commissioner, 1st District  
Barb Esfeld, Commissioner, 2nd District, *(Chairman Pro-Tem)*  
Shawn Hutchinson, Commissioner, 3<sup>rd</sup> District, Chairman  
James R. Daily, Commissioner, 4th District  
Jennifer Schartz, Commissioner, 5th District  
Bev Schmeidler, County Clerk  
Matt Patzner, Director of Operations  
Patrick Hoffman, County Counselor

## **I. OPENING BUSINESS:**

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

Commissioner Daily moved to approve the agenda.  
Commissioner Schartz seconded the motion.  
All voted aye. Motion passed.

Commissioner Krier moved to approve the minutes from the January 19, 2022, regular meeting.  
Commissioner Daily seconded the motion.  
All voted aye. Motion passed.

## **APPROVAL OF APPROPRIATIONS: 13th Month – 3rd Run:**

-An Accounts Payable Register for the 13th Month, 2021, will be submitted to the Commission. Thirteenth month expenditures include any unpaid bills for a product, service or utility that was received in 2021.

Commissioner Daily moved to approve the 13<sup>th</sup> Month – 3<sup>rd</sup> Run appropriations for 2021 and authorize the Chairman to sign on behalf of the Commission.  
Commissioner Esfeld seconded the motion.  
All voted aye. Motion passed.

## **III. APPROVAL OF APPROPRIATIONS:**

-An Accounts Payable Register will be submitted to the Commission for the period of January 19, 2022, and ending February 2, 2022.

Commissioner Krier moved to approve appropriations for the period of January 19, 2022, to February 2, 2022 and authorize the Chairman to sign on behalf of the Commission.  
Commissioner Schartz seconded the motion.  
All voted aye. Motion passed.

## **IV. OLD BUSINESS:**

There was no old business at this time.

## **V. NEW BUSINESS:**

### **A. REVIEW OF THE BURN BAN:**

-Amy Miller, Emergency Risk Manager, will provide details. On December 15, 2021, the Commission adopted Resolution 2021-27, A Resolution Establishing a Temporary Burn Ban. At that time, conditions warranted its enactment. The Commission will receive current weather and drought conditions.

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My Miller, Emergency Risk Manager, said she emailed the Fire Chiefs in Barton County for information regarding any incidents the prior week or comments regarding the burn ban. Spencer Proffitt, Ellinwood Fire Chief and Doug Hubbard, Fire District No.1 Fire Chief, responded that it was a good time to lift the burn ban. That would give opportunities for burning tree piles and clear land. Up until yesterday, still in high wild land fire danger. Possibly ask for another ban in the future.

Commissioner Daily said a citizen called him wanting to burn.

Commissioner Hutchinson said the consensus of the fire chiefs was to lift the burn ban. Would like to have Miller keep them updated while dry conditions persist.

Commissioner Krier noted that a fire chief can override a burn ban in their jurisdiction for a specific instance.

Miller said that Resolution 2005-04, Resolution Regarding Open Burning and Creating a Permitting System for Such Burning and Repealing Resolution 2004-05, Same, Adopted January 26, 2004, was still in place.

Commissioner Daily said the permit holder still had the responsibility to see that the fire was contained.

Commissioner Hutchinson asked that Miller give regular updates to the commission when a burn ban was in place. He also noted that a burn ban covers anything with an open flame including burn barrels, barbecue grills and fire pits.

Commissioner Daily moved to remove the burn ban and adopt Resolution 2022-07, A Resolution rescinding Resolution 2021-27, Establishing a Temporary Burn Ban in Barton County, Kansas..

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

## **B. SUNFLOWER DIVERSIFIED SERVICES: Grant Report – Reconditioned Baler:**

-Jon Prescott, Executive Director, Sunflower Diversified, will report. In May, 2021, Sunflower Diversified Services received a grant from the Kansas Department of Health and Environment (KDHE) for the purchase of a reconditioned baler. Included in the \$59,763.56 project was the baler, freight, installation and electrical work. The Barton County Solid Waste Fund supported this grant in the form of the project match of \$14,940.89 as the baler supports Landfill waste reduction as outlined in the Solid Waste Management Plan.

Jon Prescott, Executive Director, Sunflower Diversified, gave details about the reconditioned baler. Said it was about a month behind schedule and they were still waiting on a special breaker for the equipment. It was due to arrive tomorrow, would be installed on Friday so they will be up and running this weekend. In 2020, they processed about 4 million pounds of recycling materials and were at 2,870,000 pounds in 2021. Prescott said the surrounding communities and Barton County Community College had been very supportive. Prescott thanked the commission for their support.

## **C. SOLID WASTE: Purchase of a Replacement Vehicle:**

-Phil Hathcock, Solid Waste Director, will present. Landfill management has researched purchasing a ¾-ton pickup truck that would be more suited for landfill use to replace a ½ ton pickup. A request for proposals was advertised and no bids were received. Consequently, a demo RAM 2500 pickup was located at Marmie Motors in Great Bend that is available for purchase. If approved, the purchase would be paid through the Solid Waste Fund.

Hathcock, Solid Waste Director, said they put out an RFP but received no bids. A demo model was located at Marmie Motors. They had a Dodge Ram 2500 for \$58,050.00. If purchased, the landfill truck it

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places would be used by Environmental Management. They are currently using a 2007 Mercury Mariner with over 115,000 miles.

Commissioner Schartz asked if any funds had to be transferred to move the pickup from Solid Waste to Environmental Management. Hathcock said he and Patzner had done research and if the vehicle were sold in the future, the funds would go back into the Solid Waste fund since it was non tax dollars.

Commissioner Krier said he would like to see the Mercury Mariner be another vehicle available for county use. Hathcock said it could be added to the county fleet.

Commissioner Daily asked if the Mariner was that worn out, would it be safe for employees to drive. Hathcock said it would be fine for around town, he would have staff at the Landfill check the vehicle.

Commissioner Krier said he was surprised the new pickup was reasonably priced.

Commissioner Daily moved to approve the purchase of a Ram 2500 Crew Cab from Marmie Motors, Inc. for a total of \$58,050.00. Cost to be paid from the Solid Waste Fund, Vehicular Equipment Line, 140-68-6205.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

## **ITEM TABLED**

### **D. RESOLUTION: Regulations for Barton County Owned and Operated Memorial Parks and Cemeteries:**

m Wornkey, Register of Deeds, will provide details on suggested updates to the regulations.

Commissioner Hutchinson said Pam Wornkey was unavailable and moved to table this item until next week if that was acceptable to everyone.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

### **E. GOLDEN BELT VETERANS MEMORIAL: Stone IV:**

-Diana Watson, Operations Department, will provide details. After the dedication of the Golden Belt Veterans Memorial Center Stone in 2014, Barton County is pleased to announce that all lines have been filled on Stone IV. The Commission will be given a program overview.

Diana Watson, Operations Department, said all names for Stone IV have been collected and they are proceeding with the purchase of the stone and having it set. It will have 1,480 names from the Civil War to present time. All 4 main branches of the military will be covered along with the Nursing Corp. It will include 49 soldiers killed in action, at least 1 MIA and 7 POW's.

Commissioner Krier asked about plans for a 5<sup>th</sup> stone. Watson said they will probably wait a while, this last stone took quite a bit of time to fill. Watson said it had been such an honor talking to all of the Veterans.

Commissioner Hutchinson thanked Watson for all the work she had done on the memorial stones. Watson said it had truly been an honor and shared one of the many stories.

Commissioner Daily said Watson had done an outstanding job with the program and she should be proud.

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Commissioner Krier asked if it was possible to recognize those that were awarded the Silver Star, Bronze Star and others. Watson said unfortunately, they did not have that information on all of the soldiers.

Commissioner Esfeld asked Commissioner Hutchinson if he and his wife were on the stone. Commissioner Hutchinson said they would be included on Stone IV.

## **F. APPRAISER'S OFFICE: Bulk Mailing – Valuation Notices:**

-Wendy Prosser, County Appraiser, will provide details on this item. The Appraiser's Office invited Request for Proposals for the 2022 real estate valuation notices. Work involves the creation of valuation notices, mailing labels and envelopes.

Wendy Prosser, County Appraiser, said by statute, they are required to mail out valuation notices by March 1<sup>st</sup> each year. She put out an RFP and by her deadline of January 14<sup>th</sup>, only 1 bid was received. In the past, they typically received 3-4 bids. The only bid received was for \$9,326.62 from Mail Services. If they were to handle the work in house, it would cost around \$10,000 so they would not be saving much with this company. In past years it had run around \$6,500 - \$6,700 with other vendors.

Commissioner Schartz asked if the company used last year submitted a bid. Prosser said the person that would receive information from the portal was no longer with their company and they did not get the information before the deadline.

Commissioner Schartz asked if this bid could be rejected for being too high. Sue Cooper, Grant & Compliance Manager, said the commission could reject any and all bids and award in the best interest of the county.

Commissioner Esfeld moved to reject the bid and direct the County Appraiser to find more cost-effective options.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

## **G. INFORMATION TECHNOLOGY: Camera Surveillance Upgrade project:**

-Dereck Hollingshead, Information Technology Director, will provide details. On January 19, 2022, the Commission awarded Nex-Tech Security the bid for the project that includes the upgrade of a camera server, various interior cameras and video decoders. It was later determined that the Commission was provided an incorrect bid amount. Nex-Tech Security remains the low bidder with the corrected pricing of \$18,760.52.

Dereck Hollingshead, Information Technology Director, said the motion provided previously was incorrect, it had the wrong amount. Asking that the motion be rescinded, and a new motion be made with the updated amount. This was to replace the courthouse camera server that is 7 years old. Each vendor bid accessories that were not needed and in removing the unnecessary items, the incorrect amount was used.

Commissioner Esfeld moved to rescind the January 19, 2022, motion for the Camera Surveillance Upgrade project and instead accept the \$18,760.52 bid from Nex-Tech Security. Bid cost to be paid from the Equipment Replacement Fund, Equipment Replacement – General Line, 072-00-6380.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

## **H. HEALTH DEPARTMENT: Lease of a van and pickup truck for COVID-19 response:**

-Karen Winkelman, Health Director, will provide details. In November, 2021, the Barton County Health Department accepted funding from the Kansas Department of Health and Environment through the Central Coronavirus Response and Relief Supplemental Appropriations Act of 2021, IAP Supplemental 3 – Vaccine Access and IAP Supplemental 4 – Vaccine Equity. This program is supported by the Centers

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☞ Disease Control and Prevention (CDC) of the U.S. Department of Health and Human Services (HHS) as part of a financial assistance award. A portion of this grant was allocated to lease two vehicles to provide transportation in response to COVID 19 vaccine activities. A request for proposals was advertised until January 15, 2022, to lease a van and ½ ton pickup truck; no responses were received. A 2022 Chrysler Pacifica van and a 2022 RAM Laramie 1500 crew cab 4X4 pickup were located at Marmie Motors in Great Bend that were available for lease or purchase. The Commission will be asked to ratify the lease agreements.

Karen Winkelman, Health Director, said combined awards of \$183,000 were accepted last November. They allocated funding to lease vehicles for COVID response. They went out for RFP, but no response was received. Two vehicles were located locally at Marmie Motors, a 2022 Ram ½ ton truck and a 2022 Chrysler Pacifica van. They allocated \$74,816 in monthly payments for leasing vehicles. At the end of two years, the residual would be \$27,870.60.

Commissioner Schartz asked about the rationale for leasing instead of purchasing. Winkelman said that was a requirement and some counties turned it down because of that requirement.

Commissioner Daily asked if the vehicles could be purchased at the end of the lease period. Winkelman said that was correct.

Commissioner Krier asked Winkelman for the cost of each vehicle. Winkelman said the Ram was \$56,080 and the Pacifica was \$40,508.

Commissioner Esfeld asked if the pickup would be used other than pulling the trailer. Winkelman said it had great storage so it could be used for outreaches and such.

☞ Commissioner Krier asked for the lease amount of each vehicle. Winkelman said the Ram would be \$42,816 and the Pacifica would be \$32,000.

Commissioner Krier asked the total purchase price at the end of the 2 year lease. Winkelman said \$27,870.60. Commissioner Krier said basically, the Federal Government bought us a vehicle.

Commissioner Schartz asked what the remainder of funds would be used for. Winkelman said they are looking at replacement of the digital sign and a freezer unit for vaccines.

Commissioner Esfeld asked Winkelman if after purchase of these vehicles, would she still have need for all the other vehicles. Winkelman said they would be discussing removal of two vehicles from the fleet in the future. There were two older vehicles they do not take out of town.

Commissioner Schartz moved to ratify this lease agreement for a 2022 Chrysler Pacifica van and a 2022 RAM Laramie 1500 crew cab 4X4 pickup from Marmie Leasing, Inc. The cost of combined lease agreements is not to exceed \$74,816 and is to be paid from the IAP Supplemental 3 Vaccine Access and the IAP Supplemental 4 Vaccine Equity Grants awarded to Barton County from the Kansas Department of Health and Environment.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## I. BOARD APPOINTMENTS: Health Department Advisory Committee:

☞ -Karen Winkelman will provide details. Barton County solicited applicants for uncompensated positions for the Health Department Advisory Committee. The Health Department Advisory Committee provides guidance, recommendation and assistance to the Barton County Health Department staff.

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ren Winkelman, Health Director, said the board was formed in 1987, a requirement for the Family Planning Grant. The board may have no more than 9 nor less than 5 members that are uncompensated terms. Applications for renewal were received from Dr. William King, physician; Dr. Michael Malone, veterinarian with background in emergency preparedness and serves as veterinarian consultant; John Stettinger, retired after 40 years on Great Bend Fire Department and currently employed with the Sheriff's Office. Application for a new appointee received from Dr. Perry Smith, retired family practice physician and provided physician services for the Family Planning Program.

Commissioner Krier moved to appoint Dr. William King, Dr. Mike Malone, Dr. Perry Smith and John Stettinger to the Health Department Advisory Committee. The uncompensated positions term December 31, 2023.

Commissioner Daily seconded the motion.

All voted aye. Motion passed.

## **ITEM TABLED**

### **J. COUNTY ATTORNEY'S OFFICE: Departmental Update:**

-Levi Morris, County Attorney, has asked that time be allocated for a departmental update.

Commissioner Krier moved to table the item.

Commissioner Hutchinson seconded the motion.

Motion passed 4-1. Commissioner Daily voted nay.

### **K. COMMISSION DISCUSSION: Local Government Day:**

-Chairman Shawn Hutchinson will be joined by Commissioner Barb Esfeld and Commissioner Kirby Krier providing details. On January 26, 2022, the Commission was invited to attend the Kansas Association of Counties (KAC) Local Government Day event in Topeka.

Commissioner Esfeld appreciated the opportunity to attend. It was very informative.

Commissioner Krier said Alicia Straub met with them before and after her presentation. They learned that the State was going to carry over \$3 billion. Commissioners Esfeld and Hutchinson immediately started talking to legislators around them, telling them Barton County would like some of that money. They would like \$1 million for daycare, a much-needed asset.

Commissioner Hutchinson said he was pleasantly surprised that their input was welcomed.

County Counselor Patrick Hoffman said KAC did not take positions often unless they were strongly opposed to them. They did address commercial appraisals, "Dark Store" theory.

Commissioner Esfeld said there was a panel discussion with local representatives and senators, Senator Straub was present from our area. LAVTR, Local Ad Valorem Tax Relief, there was talk of starting it back up again. The Commissioners Association took a strong stance. There was talk about the Governor wanting to drop food sales tax. Big box store will be going before the Supreme Court, and we would like to write amicus briefs. KAC was looking at hiring at least one attorney to do that and possibly other counties could individually write one. For example, if a big store were empty and the building was for rent, the owners want the building to not be taxed, only valuing the land. This would not be fair and could affect future legislation.

Commissioner Hutchinson said Alicia Straub and Troy Waymaster spent a lot of time with them. Childcare is also workforce development.

Commissioner Daily was glad they could attend, it was always beneficial.

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## ITEM ADDED

### J. COUNTY ATTORNEY'S OFFICE: Departmental Update:

-Levi Morris, County Attorney, has asked that time be allocated for a departmental update.

Commissioner Krier moved to untable and wanted to do a no vote with Commissioner Daily.

Commissioner Schartz seconded the motion.

Motion passed 4-1. Commissioner Daily voted nay.

Levi Morris, County Attorney, said they handle between 2,000 and 3,000 cases each year. Last year there were 1,090 traffic cases, down from 1,500 the previous year. There were 93 child in need of care cases, 50 juvenile offender cases, 43 care and treatment cases and 473 adult criminal cases filed. They filed 69 drug distribution cases in 2021. In 2020 there were no jury trials but there were 8 in 2021.

Commissioner Esfeld said she was disappointed that drug cases were up. Had hoped with the help of Oxford Houses and other programs that would be down.

Morris said those should not be associated with each other.

Commissioner Daily asked of those who plead out, how many reoffended. Morris said that was unknown.

Commissioner Daily asked how many went to corrections. Morris said all of them.

Commissioner Hutchinson asked about a shift to stiffer sentences. Morris said the legislature ties a lot of

ids.

Commissioner Schartz asked if there was a backlog of cases. Morris said his office was caught up, now behind again. He had basically been short-handed 1 out of 4 prosecutors for the last 6 months.

### VI. ENDING BUSINESS:

1. Announcements
2. Appointments

### VII. OTHER BUSINESS:

- Commissioner Daily – will be resigning March 16<sup>th</sup>. Necessary to move out of the area for healthcare for his wife. It has been a pleasure to represent Barton County. He noted that Jon Prescott had filed for his district and he supports him.
- Commissioner Krier – asked County Clerk Bev Schmeidler if there had been voter suppression in Barton County. Schmeidler said no. Discussion about acceptable photo identification for voting.

### VIII. ADJOURN.

Commissioner Krier moved to adjourn at 10:20 A.M.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
Bev Schmeidler  
County Clerk

  
Shawn Hutchinson, Chairman