

November 30, 2021
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners held the agenda session at the Annex Conference Room with Chairman Ron Hirst, Commissioner Daniel Friesen and Commissioner Ron Sellers, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Pastor Steven Gill, Turon Community Church.

Commissioner Hirst explained about speaking at the Planning Board Public Hearing instead of coming before the Commission with comments on issues that should have been heard at the public hearing. If they have new information, they will need to follow the process to submit that information. He stated that Reno County has a policy in place for addressing CUP (Conditional Use Permit) issues. He said today's item on the agenda was to approve the petition and the CUP discussion and potential vote would come before the Board on December 14, 2021.

Commissioner Friesen asked for clarification of the public being able to speak during the wind process. County Counselor Joe O'Sullivan gave explanation of the Commission establishing a policy with regards to permitting comments that should have been directed to the Planning Board during their hearings.

Commissioner Sellers stated today's agenda was to validate the petition as entered and not to discuss/or vote on the CUP case.

There were no public comments.

Commissioner Friesen mentioned the agenda meeting last week was hard to hear on the video recording. Mr. Partington replied that IT tested the equipment, and after speaking with McClellan they would work to locate the problem. Mr. Friesen mentioned a comment made about the thought process of the Planning Board Staff. He unfortunately used "insubordinate" in the most recent recommendations on the wind energy zoning requirements. He disagreed with the decision of the staff's approach but used a bad choice of words. He said he should have spoken in a private meeting with the Planning Board Staff.

Mr. Sellers moved, seconded by Mr. Friesen, to approve the Consent Agenda. It consisted of items 6A, 6B, and 6C, including the Accounts Payable Ledger for claims payable on December 3rd, 2021, totaling \$663,860.53 as submitted; approval to declare certain items as surplus to be auctioned on Purple Wave Auction; and approve the appointment of Harley Macklin to a second 3-year term on the Planning Commission. The motion was approved by a roll call vote of 3-0.

Mr. Friesen moved, seconded by Mr. Sellers, to approve the insurance coverage for next year as presented by Mr. Bob Fee an Insurance Broker for Travelers Company that handles property and casualty for the county. Mr. Fee highlighted the renewal rates and explained the coverage amounts. He said the main concerns for higher rates came from the economy, materials, and cost of those materials, cyber was a real high concern, law enforcement, earthquake, and auto claims. He went over the companies that would insure the county. The Board had questions and comments. The motion was approved by a roll call vote of 3-0.

The Board recommended their choice of two from the six qualified applicants that applied for the open positions on the Planning Commission. Mr. Hirst recommended Garth Strand and Allen Shafer saying they were excellent choices, working free gratis along with the other members who try to do a good job for the community. He stated next year Mr. Ken Jorns would be completing his commitment on the Planning Board and will need a replacement.

Mr. Sellers supported Mr. Hirst's recommendations of Strand and Shafer saying we seldom see this large of a group applying for the hard job and all are acceptable for the positions.

Mr. Friesen supported the recommendation of Mr. Strand and recommended for consideration Ron Vincent as a good candidate. Mr. Friesen thanked the efforts and leadership of Chairman Lisa French with the Planning Board since her term was completed. **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the recommendation of Garth Strand and Allen Shafer as new members of the Reno County Planning and Zoning Commission. The motion was approved by a roll call vote of 3-0.

County Planner Mark Vonachen met with the Board to recommend approval for a proposed resolution on planning case #2021-07 filed by Mid-States Material LLC for an aggregate stone yard. He explained the Conditional Use Permit process. He

stated that state statute K.S.A. 12-757(f)(1) permits property owners within a 1000-foot of the proposed CUP could protest within a 14-day period and 27 petitions were filed with the Reno County Clerk's Office. He and the County Counselor verified all petitions finding 26 valid of the 27 and the staff recommended the petitions to be valid. If approved, the resolution would require a super majority vote.

Mr. O'Sullivan explained the requirements of a super majority which was a concern of the people in the audience, Lucinda Piligian, and Attorney John Wildin. He made the commission aware of the language in the resolution. He gave explanation on the three commissioners versus the upcoming two positions voted on by the public making the Board a five-member Commission. In his opinion the vote would be from the three since the other members would not be voted in until next year taking office in 2023.

Mr. Sellers moved, seconded by Mr. Friesen, to approve the petitions with resolution #2021-27; **A RESOLUTION DETERMING THE VALIDITY OF PROTEST PETITIONS SUBMITTED TO THE RENO COUNTY CLERK PURSUANT TO K.S.A. 12-757 PROTESTING THE CONDITIONAL USE PERMIT APPLICATION FILED BY MID-STATES MATERIALS LLC, RENO COUNTY PLANNING CASE NO. 2021-07.** The motion was approved by a roll call vote of 3-0.

Mr. Partington explained the Kansas Association of Counties (KAC) was holding a Special Election on January 5th, 2022, to be effective in 2022 to include the affiliate group the Kansas County Human Resources Association as an affiliate member so they can serve on the KAC Board. Counties have the option to elect a voting delegate and an alternate to vote online to allow the Human Resources or not. **Mr. Friesen moved, seconded by Mr. Sellers,** to nominate Mr. Hirst as voting delegate with the first alternate as Mr. Sellers and Mr. Friesen as second alternate. The motion was approved by a roll call vote of 3-0.

The Board asked for Mr. Partington's opinion on how to vote. He stated most counties in Kansas had an HR Officer, and thought HR was an important part of any county government. He recommended they should be voted in and have a seat as an affiliate member on the KAC Board. **Mr. Sellers moved, seconded by Mr. Friesen,** to agree with the recommendation of the County Administrator and direct our voting delegate to vote yes on this matter. The motion was approved by a roll call vote of 3-0.

County Administrator report:

Mr. Partington stated the Courthouse Building Committee will meet to discuss various issues on December 15th for the space renovation that was approved from the Capital budget for 2022. The meeting will include Mr. Sellers, Mr. Partington, and department Directors with an office in the Courthouse including Emergency Management and District Court.

In the Emergency Management area, the HVAC should be completed by the end of December depending on the cost. They have had various estimates, and if the cost is above \$25,000, the commission will need to give their approval.

Interviews will be conducted for the County Counselor position on December 10th, 2021. Interviews for the Appraiser will be conducted on December 17th, 2021.

County Commission reports:

Commissioner Friesen said he had a bad week as a commissioner. He appreciated the news reporting on his comments but stated that it was not the complete conversation. He needed to clarify and apologized about increasing the fees for MV tags and stated that he was not considering increasing fees. He spoke about having to come in to do tags and could not renew online. He generated a lot of feedback from the community and thanked them. The Commission audio needs work. Two weeks ongoing COVID discussion for future policies.

Commissioner Sellers agreed with his apology, but this brings up good issues that are long term and need to be addressed. We need to write to the state about MV signature procedures that are dictated by the state. He agreed that the audio and video sound need to be solved.

Commissioner Hirst agreed with Mr. Friesen and stated that he had some good points. We are elected to hear and study to make decisions for the whole county and explained some of the commission jobs. He stated that SKECDD made an offer to one candidate for the Executive Director position and noted that they had excellent candidates apply. He and Mr. Partington attended a Quad County meeting and said Reno County will be hosting the next meeting in 2022. Home Rule needs work and look at some of the thirty-nine changes that were made.

At 10:25 the meeting recessed for ten minutes.

The meeting reconvened with all Commissioners, County Administrator Randy Partington, County Counselor Joe O'Sullivan, and Minutes Clerk Cindy Martin, present.

At 10:35 **Mr. Hirst moved, seconded by Mr. Sellers,** to go into executive session for 45 minutes for non-elected personnel with no formal action to be taken. The motion was approved by a roll call vote of 3-0.

At 11:10 **Mr. Sellers moved, seconded by Mr. Friesen,** to extend the executive session by 10 minutes and was approved unanimously.

At 11:20 a.m. the meeting returned to regular open session with no binding action taken and adjourned for the day until 9:00 a.m. Tuesday, December 14th, 2021,

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date