



Ron Sellers  
District 1  
Vice-Chair

Ron Hirst  
District 2  
Member

Daniel P. Friesen  
District 3  
Chair

**Courthouse**  
206 W. 1st Avenue  
Hutchinson, KS 67501

## **A G E N D A**

### **Reno County Courthouse Commission Chambers Tuesday, September 27, 2022, 9:00AM**

- 1. Call to Order**
- 2. Pledge of Allegiance to the American Flag and Prayer**
- 3. Welcome and Announcements by Commission Chair**
- 4. Public Comment on Items not on the Agenda**  
*Please come forward to the podium, state your name and address and limit your remarks to not more than 5 minutes per item.*
- 5. Determine Additions or Revisions to the Agenda**
- 6. Consent Agenda**
  - 6.A Vouchers (bills or payments owed by the county or related taxing units).
  - 6.B BOCC minutes to be approved for August 23rd, August 30th, September 8th, September 13th, September 13th Canvass.
  - 6.C Appointment of Brody Benson as Trustee of the Troy Township Board
  - 6.D Appoint Karen Hammersmith as the Reno County Public Health Officer, effective September 27, 2022.
  - 6.E Reno County Health Department's (RCHD) application for the National Association of County & City Health Officials (NACCHO) Overdose Response Strategy (ORS) Pilot Project Grant.
  - 6.F Juvenile Corrections Advisory Board Education Representative Appointment.
  - 6.G Planning Case #2022-06 - A resolution approving a request for a conditional use permit for Lawrence Street Properties, LLC to establish a coffee shop at 9805 S. Yoder Road.
- 7. Business Items**
  - 7.A Resolution 2022-\_\_\_ establishing user charges for Water District No. 101; Sewer District No. 201; Sewer District No. 202; and Sewer District No. 1 to be effective from and after November 1, 2022.
  - 7.B Resolution 2022-\_\_\_ to state the additional intended uses of a portion of the first tranche of Reno County's allotment of local fiscal recovery funds through the American Rescue Plan Act; and for other purposes.
  - 7.C Discussion of K.S.A. 41-2646. Sale of liquor by the drink in public places.
- 8. County Administrator Report**
  - 8.A Monthly Department Reports
- 9. County Commission Report/Comments**
- 10. Adjournment**



## AGENDA ITEM

## **AGENDA ITEM #6.B**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Cindy Martin

**AGENDA TOPIC:**

BOCC minutes to be approved for August 23rd, August 30th, September 8th, September 13th, September 13th Canvass

**SUMMARY & BACKGROUND OF TOPIC:**

N/A

**ALL OPTIONS:**

Approve

Make corrections

Deny

**RECOMMENDATION / REQUEST:**

Approve the final minutes

**POLICY / FISCAL IMPACT:**

N/A

August 23, 2022  
Reno County Courthouse  
Hutchinson, Kansas

The Board of Reno County Commissioners held an agenda session with Chairman Daniel Friesen, Commissioner Ron Sellers, and Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led Pastor Dustin Dick, Buhler Mennonite Brethren Church.

Reno County Health Department's Substance Misuse Health Educator Seth Dewey read a proclamation proclaiming September as National Recovery Month. Commissioner Friesen then presented the proclamation to Mr. Dewey.

There were no public comments.

**Mr. Hirst moved, seconded by Mr. Sellers,** to amend the consent agenda adding items 6F for approval of the appointment of Assistant Sedgwick County District Attorney Robert Short as a special counsel for Reno County District Court case number 21 CR896, and 6G to approve the Yoder Heritage Day's Fireworks Permit. **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the amendment change. The motion was approved by a roll call vote of 3-0.

Mr. Sellers stated on item 6G he was aware of the situation where Yoder Heritage Days was late getting their permit application in for the fireworks display. All documents were in and approved then signed by the local Fire Chief to safely have the fireworks display on Saturday, August 27<sup>th</sup>, 2022. He also had questions for Public Works Director Don Brittain on the contract for the Cow Creek Bridge. Mr. Brittain noted the project would possibly start late 2022 or early 2023, a lower bid was offered by not putting a date on the project. He said King Construction Company was a preferred company and had gotten the low bid out of four.

**Mr. Hirst moved, seconded by Mr. Sellers, to** approve the Consent Agenda consisting of items 6A through 6G, including the Accounts Payable Ledger for claims payable on August 19th, 2022, totaling \$547,123.86, claims payable on August 26th, 2022, totaling \$728,026.07; approve the Title VI Policy and Plan for Reno County Area Transportation tri-yearly review and update; approval to declare Public Works' 2012 Dodge Ram 2500 4WD pickup, VIN#3C6TD5HT9cG174587, with approximately 163,111 miles on it as surplus to be auctioned on PurpleWave and authorize County Administrator Randy Partington to sign the title once pickup is sold; approval to declare Public Works' 2009 Chevy Silverado 2 WD Extended Cab pickup, VIN#1GCHC49K39E135091, with approximately 166,833 miles on it as surplus to be auctioned on PurpleWave and authorize County Administrator Randy Partington to sign the title once the pickup is sold; approve contract between Reno County and King Construction Company, Inc. for the construction of a new bridge over the Cow Creek at the entrance of Willowbrook for the sum of \$1,532,003.34, as amended.

Mr. Sellers commented on item 6G for the permit application on the fireworks display for Yoder Heritage Days. The public knows the rules since they have done it in past years and should have had it in on time. County employees are willing to work with people and help them if they come to them in the appropriate time. He thought it was offensive and a slam to some county employees how it was handled by a special vote of the Commission. This permit should have been taken care of properly in a timely manner.

Both Mr. Hirst and Mr. Friesen also received calls on the denied permit. Mr. Hirst suggested in his phone call to Mr. Headings to put the date on a calendar book for next year to be on time. Mr. Friesen agreed with Mr. Sellers comments to support staff since they were just following the rules. He commented that no one wants their fireworks display shut down for the community, stating this was not the best of situations. Mr. Hirst spoke with the Mr. Partington regarding the staff looking at recommendations to change length of days to apply.

Mr. Sellers believed making this exception could cause future problems and did not want to do exceptions, making this the one and last time he would approve. The motion was approved by a roll call vote of 3-0.

**Mr. Friesen moved, seconded by Mr. Hirst,** to approve setting the canvass date and time for the September 6<sup>th</sup>, 2022, USD 311 School Bond Special Election on September 13<sup>th</sup>, 2022, at 8:30 a.m. The motion was approved on a roll call vote of 3-0.

County Counselor Patrick Hoffman gave background recommending approval for the Consent Agreement and Final Order between the Kansas Department of Health and Environment and the Supplier of Water for Reno County Rural Water District No. 101. He said every water district gets tested by KDHE and if not satisfied with the results they work with the district, and if not improved, they use a Consent Order. Both parties have agreed there is a problem so in this agreement there are steps to fix the problem. He highlighted in Section 30 of the Consent Order sets out a process A through J until completed and approved by KDHE.

The Board had some questions for Mr. Brittain regarding sewer problems, HABIT, and rates for residents of water district 101 being approximately \$34.00 per month, \$2.50 per 1,000 gallons with commercial being a flat rate twice the residential amount. **Mr. Sellers moved, seconded by Mr. Hirst,** to approve the Consent Agreement and Final Order as presented by staff also having the Chairman sign and initial. The motion was approved by a roll call vote of 3-0.

Mr. Hoffman was also present to discuss delegating a fence viewing board, which per statute was the Board of Commissioners. The Board could delegate a commissioner and others to report back to the entire commission for action. They needed to set a date and time for the fence viewing that had been requested by Wayne and Lauren Sill. Mr. Hoffman reviewed the fence viewing process for a dispute between two rural neighbors with the Commission making the final recommendations. The Board would appoint who will go to identify where the fence should be and who should pay what amount for the fence using the State of Kansas Fencing Laws. Mr. Hirst suggested the committee should review the information from an attorney at Washburn University who was an expert on the fence laws. Mr. Hoffman stated he had one side to the story as he had not heard from the adjacent landowner, the Schroeder's.

Lauren Sill spoke about the background and the current issues regarding the fence. The neighbors had the north/south line surveyed and the markers were correct from a previous survey. The question is on the north/south line if the Sill's stayed within the three-foot boundary, the neighbors thought they went out of that area when they cleared 10 acres of cedar trees, hardwood, and dead brush. The Schroeder's believed they cut down three of their trees in the process of clearing for fire mitigation and fencing. The Sill's received a demand letter from the Schroeder's with issues.

**Mr. Sellers moved, seconded by Mr. Friesen,** to appoint Mr. Hirst, Mr. Friesen, and Mr. Brittain with Mr. Hoffman as legal counsel for Reno County to view the fencing on September 8<sup>th</sup> at 9:00 a.m. They were to view and resolve two questions on the fencing. The motion was approved by a roll call vote of 3-0.

Mr. Partington commented on designating a voting delegate and alternate to the Kansas Workers Risk Cooperative for Counties (KWORCC) annual meeting to be held in conjunction with the Kansas Association of Counties (KAC) annual conference on October 17, 2022. **Mr. Friesen moved, seconded by Mr. Sellers,** to appoint the voting delegate as Mr. Hirst, and the alternate as County Clerk Donna Patton. The motion was approved by a roll call vote of 3-0.

Mr. Partington also presented for consideration nominating members to serve on the KWORCC Board of Trustees. The Board declined to nominate a member by consensus.

Mr. Partington spoke about the monthly department reports. Mr. Sellers mentioned he saw in the reports more applications for employment. Mr. Partington commented there were more applications for positions and that some departments found it hard to find qualified people for some of their positions. He asked The Board to mark their calendars for September 27<sup>th</sup> they would be asked to join in focus groups during the day and October 25<sup>th</sup>, as the Commissioners are the Board of Health, they would join different groups between 1:00 p.m. through 4:00 p.m. The Health Department will be working on their Strategic Plan and Goals during those dates. Quad County Planning Forum meets in Wichita on September 12<sup>th</sup>, 2022. New commissioner orientation on November 22<sup>nd</sup>, 2022, welcomed by Chairman Daniel Friesen for duties, Mr. Hoffman for Kansas open meetings act, and meet each Department Directors from 1:00 p.m. to 5:00 p.m. Last week the Planning Commission approved the housing subdivision northeast of Cheney Reservoir. The Planning Board asked the Board of Commissioners wanted to view the preliminary Platte or wait until final Platte. The Board approved by consensus to not review the preliminary Platte but wait for the final Platte.

#### Commissioner Comments:

Mr. Sellers expressed his thanks to the county employees for participating in the 150 Year Celebration August 18<sup>th</sup>. We had very good representation and was very pleased with the City and County's efforts. Asking Mr. Partington to thank staff.

Mr. Hirst stated he attended the Governor's AG Innovation Seminar and said that it is a very good program. Heartland Summit is coming up on August 30th at the Cargill Innovation Center downtown. The K-96 Corridor meeting changed to September 12<sup>th</sup> and 13<sup>th</sup>. StartUp Hutch Jackson Swearer along with Mr. Hirst attended the Pretty Prairie Chat Group to speak about finances and noted that there were 25 people who attended with questions.

Mr. Friesen had a call from a landowner regarding the Cottonwood Complex fire area and he wanted to clarify responsibility on the roads. Mr. Friesen would like the landowner to have a written response from the county staff. Public Works Director Don Brittain gave an overview of the history from 1975 when the subdivision was established and there was a resolution by the County Commissioners to create the roads as roads. Each had a condition that these roads, by the petitioners, had to build those roads up to Valley Township standards, and commented that those roads were not done up to those standards. Mr. Brittain stated the roads could not be closed because you would land lock people. Mr. Hoffman explained these as gloried roads not properly established roads. Mr. Friesen had some feedback on the Emergency Management focus toward cleaning up fire areas, and asked if efforts would come formally back to the commission. Mr. Partington replied yes after the survey was finished it will come to the Board. Thanks to the staff and the county participation, good event.

At 10:20 a.m. the meeting adjourned until 9:00 a.m. Tuesday, August 30th, 2022.

Approved:

\_\_\_\_\_  
Chair, Board of Reno County Commissioners

(ATTEST)

\_\_\_\_\_  
Reno County Clerk  
cm

\_\_\_\_\_  
Date

August 30, 2022  
Reno County Annex  
Hutchinson, Kansas

The Board of Reno County Commissioners held an agenda session with Chairman Daniel Friesen, Commissioner Ron Sellers, and Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Reverend Dr. J Ted Blakley, Grace Episcopal Church.

There were no public comments or additions to the agenda.

**Mr. Sellers moved, seconded by Mr. Hirst, to** approve the Consent Agenda consisting of items 6A through 6E, including the Accounts Payable Ledger for claims payable on September 2nd, 2022, totaling \$206,607.82; approve June 14<sup>th</sup>, June 28<sup>th</sup>, July 19<sup>th</sup>, July 26<sup>th</sup>, August 9<sup>th</sup>, August 15<sup>th</sup> Primary Election Canvass, 2022; approve **resolution #2022-18; A RESOLUTION AUTHORIZING THE DIRECTOR OF ACCOUNTS AND REPORTS TO WAIVE THE REQUIREMENTS OF K.S.A. 75-1120a**; approval proposal from Casco Industries for a Bauer Breathing Air Cascade System for Reno County Fire District#9 in the amount of \$45,861.00, approve proposal from Karpel Solutions for new prosecutor software "Prosecutor by Karpel" divided by Information Services \$85,000 and District Attorney \$21,000 for total cost of \$106,000 and authorized the County Administrator Randy Partington to sign the contract, as presented by staff. The motion was approved by a roll call vote of 3-0. Mr. Sellers commented that he appreciated the notes from the administrator before the meetings.

7A **Mr. Sellers moved, seconded by Mr. Hirst,** to open the County Revenue Neutral Rate Hearing for the purpose of answering objections of taxpayers relating to the Revenue Neutral Rate. The Board voted to approve the motion 3-0.

There was no discussion.

**Mr. Sellers moved, seconded by Mr. Hirst,** to close the County Revenue Neutral Rate Hearing. The Board voted to approve the motion 3-0.



7B **Mr. Sellers moved, seconded by Mr. Friesen,** to open the Budget Hearing for the purpose of hearing and answering objections relating to the proposed use of all funds and the amount of ad valorem tax for the County 2023 Budget. The Board voted to approve the motion 3-0.

There was no discussion.

**Mr. Hirst moved, seconded by Mr. Friesen,** to close the Budget Hearing for the proposed use of all funds and the amount of ad valorem tax for the County 2023 Budget. The Board voted to approve the motion 3-0.

7C **Mr. Hirst moved, seconded by Mr. Sellers,** to approve resolution #2022-19; **A RESOLUTION OF THE COUNTY OF RENO, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE** for the 2023 County Budget. Mr. Friesen asked to review the budget. Mr. Partington showed a chart, giving a brief history of the taxes levied, not the mill levy, along with the percent change of those taxes levied for each year and the inflation rate for those perspective years showing the difference between the increase or decrease within the budget and the inflation rate. Mr. Partington went over the numbers on the chart for taxes. The Board had made all the cuts that could be made in the budget and not cut services or programs. Mr. Sellers appreciated the chart made by the county administer. He spoke about the importance of government leaders to work together commenting that the other two members did a good job with give and take on the budget. Mr. Hirst mentioned in the interest of the taxpayers the Board may want to keep better track on what the outside agencies are doing with the funds from the county. The motion was approved by a roll call vote of 3-0.

7D Mr. Partington recommended the Reno County 2023 Budget for discussion and adoption. He said approval for the 2023 Budget with the 2023 Ad Valorem Tax of \$25,549,032. He noted that the mill levy decreased but was slightly above the revenue neutral rate. The current mill levy is 39.498 and the \$25.5 million dollar budget was 37.810 with the slight mill levy decrease, the revenue neutral rate was 37.468 a little less than .4 mill above the revenue neutral rate. **Mr. Hirst moved, seconded by Mr. Sellers,** to approve the Reno County 2023 Budget as presented by staff. Mr. Hirst agreed with Mr. Sellers that the Board had good discussions on areas to cut in the budget. Mr. Friesen thought it went well also, but stated that Reno County taxes were still high and would like to keep the mill levy lower. Mr. Hirst thought the county mill levy was in good

shape, stating any government entity can do three things; increase taxes to keep up with items we have no control over, cut services to keep the mill levy down, or increase the asset value of the county. The motion was approved by a roll call vote of 3-0.

8A **Mr. Hirst moved, seconded by Mr. Friesen**, to open the Special Districts Revenue Neutral Rate hearing for the purpose of answering objections of taxpayers relating to the Revenue Neutral Rate. Mr. Partington gave explanation of the fire, sewer, and water districts that the Commission oversees, 13 of 16 will exceed the revenue neutral rate because of operations of each district. The motion was approved unanimously.

Reno County resident in Fire District #2 Harley Phillips addressed the Board with concerns over the last two years the fire district had increased their two million budgets by another \$600,000 which was 9 percent over the revenue neutral rate. He asked if the Board had taken notice of this increase. The Commissioners clearly stated that the City Council of Hutchinson sets the budget for Fire District No. #2 and advised Mr. Phillips to speak with the City of Hutchinson's Council regarding his concerns. He thought funds should not be spent on tree removal.

The Board had a large discussion on the percentage paid to the City of Hutchinson for Fire District #2 coverage and area funds.

**Mr. Sellers moved, seconded by Mr. Friesen**, to close the Special Districts Revenue Neutral Rate Hearing. The motion was approved unanimously.

8B **Mr. Sellers moved, seconded by Mr. Hirst**, to open the Budget Hearing for the purpose of hearing and answering objections relating to the proposed use of all funds and the amount of ad valorem tax for the Special Districts 2023 Budget. The motion was approved unanimously.

**Mr. Hirst moved, seconded by Mr. Friesen**, to close the Budget Hearing. The motion was approved unanimously. Mr. Hirst mentioned that the Board did review a lot of the budgets before approval.

8C **Mr. Hirst moved, seconded by Mr. Friesen**, to approve **resolution #2022-20; A RESOLUTION TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE FOR THE SPECIAL DISTRICTS**

**2023 BUDGET.** The motion was approved by a roll call vote of 3-0.

8D The Board mentioned that fire coverage was going up in the county. Mr. Sellers commented that since Fire Districts 2 through 9 were outside the City of Hutchinson, he did not believe the citizens pay much attention to changes in those districts. Mr. Hirst said it was time to review the townships regarding roads and equipment intergovernmental agreements. Some of these agreements would be in areas not having much of a tax base. **Mr. Hirst moved, seconded by Mr. Friesen,** to approve to adopt the Special Districts 2023 Budget as presented. The motion was approved by a roll call vote of 3-0.

9A Solid Waste Director Megan Davidson recommended approval to award bid for a seven-acre Cell 8 construction at the Reno County Solid Waste Department to Unruh Excavating LLC out of Moundridge, Kansas in the amount of \$1,797,740.00. The Board asked if the complaining about waste charges was still going on. Ms. Davidson stated that after June 1<sup>st</sup> and giving the public explanations, the on-site complaints were at a minimal and currently there were no complaints. **Mr. Sellers moved, seconded by Mr. Hirst,** to award the bid to Unruh Excavating LLC as recommended by staff. The motion was approved by a roll call vote of 3-0.

10 County Administrator Randy Partington updated the Board stating that two weeks ago a request was made for architects to assess building needs for Reno County. Two contractors showed interest, GLMV and SJCF Architects out of Wichita, Kansas. Interview both companies with a small committee with one commissioner on that committee. Mr. Friesen appointed Mr. Sellers until the end of this year for an assessment plan. A consultant would be good for the study phase one. Mr. Hirst stated that an outside consultant along with Mr. Sellers with four months left, would be fine to get a long-range plan. Mr. Partington spoke about making accommodations for five commissioners in the Veterans Room or agreement to revamp for the January 2<sup>nd</sup> week for new commissioners.

Commissioner Comments:

Mr. Sellers spoke about the County Administrator working on moving The Highlands Water District recommending they move it as soon as possible to The City of Highlands. He was proud of the 25 Reno County employees that volunteered on a Saturday (United Way Workday) where he saw results on their paint project. He

appreciated everyone helping the community. Mr. Partington read the list of names from that day. On a personal note, Mr. Sellers wished his 90-year-old brother, Mert Sellers, Happy Birthday.

Mr. Hirst invited the public to attend the SCKEED Meeting at the Prairie Hill Vineyard in Colwich, Kansas on September 22<sup>nd</sup> at 1:30 p.m. The Office of Rural Prosperity has opened up applications for a seed grant for communities under 5,000 population. The grant is to support Economical Development in those smaller communities. Grant applications will be open from August 29<sup>th</sup> close Friday night on September 30<sup>th</sup>, he read the categories the grant qualifies for. He said everyone get ready for a great fair.

At 10:10 the meeting recessed for five minutes.

The meeting reconvened with all Commissioners, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present.

**At 10:15 a.m. Mr. Friesen moved, seconded by Mr. Sellers,** to move the Board into executive session until 10:30 a.m. with the County Administrator Randy Partington, County Counselor Patrick Hoffman, Emergency Management Director Adam Weishaar, and County Fire Administrator Travis Vogt, the subject matter to be fire district personnel and the justification for the executive session is to discuss personnel matters of non-elected personnel. The motion was approved by a roll call vote of 3-0.

At 10:30 a.m. the meeting adjourned until 9:00 a.m. Tuesday, September 13th, 2022.

Approved:

\_\_\_\_\_  
Chair, Board of Reno County Commissioners

(ATTEST)

\_\_\_\_\_  
Reno County Clerk  
cm

\_\_\_\_\_  
Date

September 8, 2022  
Reno County Annex  
Hutchinson, Kansas

At 9:00 a.m. The Commission attended a fence viewing with Chairman Daniel Friesen, Commissioner Ron Hirst, Public Works Director Don Brittain, County Counselor Patrick Hoffman as legal counsel for Reno County, and Minutes Clerk Cindy Martin, present at 2319 Mayfield Road, Hutchinson, Kansas.

The following were in attendance Wayne and Loren Sills and Christopher Schroeder.

Mr. Hoffman started with a history of the 100-year-old fence laws then explained the statute requirements. The commission was to view the fence line and apportion costs accordingly.

Ms. Loren Sills spoke about when they moved to their property and how they saved to install fence for their livestock, a herd of llamas and a horse. She explained the correction of property lines on the deed with the previous owner. She said they had a surveyor come out and he put white posts in to mark the boundary lines. They started clearing cedar trees and other hardwood trees for fire prevention and to prepare for the fence installation. They used the three feet on either side of the surveyed line for clearing trees and brush. The Sills received a demand letter from the neighbors, the Schroeder's, that stopped and would delay the fence installation. Ms. Sills stated that was when they turned to the Board of Commissioners for a fence viewing decision. She said the Schroeder's would not speak to them when they tried on several occasions. The Sills want to put up a 6-foot wire fence to keep their llamas in.

Mr. Schroeder stated he had not been aware of the change in land on his deed when they purchased their property two years ago. He was not consulted when the Sills took the east/west fence down and that was his main concern. The demand letter litigation he explained was for the three trees the Sills had cut down on his side of the property and clearing the brush pushed onto his side along with damage to his mower from the downed east fence. He had no issue with the north/south fence being installed however he did not feel it was his responsibility to pay for a fence he did not use for livestock.

He and his wife had no plans to purchase livestock and said if they did it would be kept in their corrals.

Mr. Hoffman tried to explain the fence law stating it said by statute a 3-foot wire fence was required and the cost would be equally shared for installation and maintenance of that fence. Mr. Hoffman stated that under Kansas law llamas were considered livestock. Mr. Schroeder again expressed that he had no livestock and did not want to pay half for the fencing. Mr. Hoffman told the group that the viewing decision would be recorded when the final decision came from the Commission, or the owners could work out an agreement and record it with the Register of Deeds. He said there was no appeal process available so if either party did not pay their costs it could result in the courts deciding with fines attached.

Mr. Hirst said a 3-foot wire barbed fence would be the minimum. Ms. Sills stated the fence contractor would not do a 3-foot wire fence nor would he quote a 3-foot wire fence and they would prefer a 6-foot wire fence with no barbs for the llamas.

The commission walked the proposed north/south fence line discussing and asking questions with both parties as they walked along the fence line.

Mr. Hoffman spoke about the 3-foot maintenance on both sides of the fence and the cost share. He also spoke about animals crossing into the adjacent landowner's property and ended up speaking about maintenance of the fence line. He gave his "in common" interpretation. Explaining if Mr. Schroeder would ever change his mind about livestock, he would be required to pay the Sills.

Mr. Friesen asked for final comments from the property owners saying the commission would discuss where their thoughts were heading.

Ms. Sills proposed replacing the 5-foot wire fence on the east and 6-foot wire fences on the north/south for llamas.

Mr. Schroeder had no problem with the north/south fence but was not willing to pay for 5-foot wire fence. His concern was with taking out the east fence line instead of repairing it and having to replace it with a 6-foot wire fence then splitting the cost of something he did not ask for.

The commission discussed the fence going east and the consensus was it needed to be replaced instead of repairing because no maintenance was done since the fence was installed and a previous fire ruined the wire and some posts beyond repair. They had several opinions on cost for both directions of fence.

There was a tentative agreement after Ms. Sills asked Mr. Schroeder if he wanted to know what his cost would be. Mr. Schroeder replied he would, and she told him they would take \$3,681.50 or he could just pay \$3,500 to the contractor for the 6-foot wire fence both directions.

The final proposal was that Mr. Schroeder would pay the contractor (Matt Krehbiel) \$3,500 and the Sills were responsible for the balance. Maintenance would be split 50-50 for natural disasters and replacement in the future. The Sills would do routine maintenance to keep their livestock on their side and the litigation from the Schroeder's would stop.

At 10:30 a.m. Mr. Friesen stated the viewing was adjourned until 9:00 a.m. Tuesday, September 13th, 2022.

Approved:

\_\_\_\_\_  
Chair, Board of Reno County Commissioners

(ATTEST)

\_\_\_\_\_  
Reno County Clerk  
cm

\_\_\_\_\_  
Date

September 13, 2022  
 Reno County Annex  
 Hutchinson, Kansas

The Board of Reno County Commissioners met in a canvass session with Chairman Daniel Friesen, Commissioner Ron Hirst, Sheriff Darrian Campbell substituting for Chairman Ron Sellers, County Counselor Patrick Hoffman, County Administrator Randy Partington and Minutes Clerk Cindy Martin.

At 8:30 a.m. Mr. Friesen opened the meeting into the Board of Canvassers for the purpose of canvassing votes for the September 6, 2022, USD 311 Special Election. The Canvass is conducted per K.S.A. 25-3104 with the County Clerk recommending the date and time for the canvass to be held on either the Monday following the election or within thirteen days of the election and the local newspaper published the scheduled date and time.

Deputy Clerk Jenna Fager explained the 7 Provisional Ballots for the Boards consideration, stating the number of ballots to count or not count was accurate from researching each one. Election Associates Alisha Johnson, Karen Fisher and Brooke Koehn.

The following 3 ballots were recommended to be counted:

- Moved within County-Voted correct precinct per KSA 25-2316c(b) 1  
**Mr. Hirst moved, seconded by Mr. Friesen,** approved by roll call 3-0
- Clerical/board worker error KSA 25-2908e 2  
**Mr. Campbell moved, seconded by Mr. Hirst,** approved by roll call 3-0

The following 2 ballots were recommended to be partially counted:

- Moved within the county voted at wrong precinct 2  
 KSA 25-3702,25-3002(b (3)  
**Mr. Campbell moved, seconded by Mr. Hirst** approved by roll call 3-0

The following 2 ballots were recommended to not be counted:

- Not Registered in USD 311 School District KSA 25-215,25-2302 2  
**Mr. Campbell moved, seconded by Mr. Hirst,** approved by roll call 3-0



At 8:35 a.m. Ms. Fager recommended the Board recess 10 minutes to finalize the ballot tally count. **Mr. Friesen moved, seconded by Mr. Hirst**, to recess per recommendation and reconvene 8:45 a.m. The motion was approved by consensus.

At 8:45 a.m. Mr. Friesen turned the meeting over to Ms. Fager had the Board of Canvassers sign the abstract that certified results for the September 6, 2022, USD 311 Special Election as: 215 yes and 280 no. She stated there were 31 mailed advance ballots, mailed advance ballots received back 21, advance walk in 16, provisional ballots 7, voted in person on election day 452.

**At 8:45** the Board of Canvassers adjourned until 9:00 a.m. Tuesday, September 27, 2022.

Approved:

\_\_\_\_\_  
Chair, Board of Reno County Commissioners

(ATTEST)

\_\_\_\_\_  
Reno County Clerk  
cm

\_\_\_\_\_  
Date

September 13, 2022  
Reno County Annex  
Hutchinson, Kansas

The Board of Reno County Commissioners held an agenda session with Chairman Daniel Friesen, Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present. Commissioner Ron Sellers was not available.

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Pastor Ron Kyker, Countryside Baptist Church.

There were no public comments or additions to the agenda.

**Mr. Hirst moved, seconded by Mr. Friesen, to** approve the Consent Agenda consisting of items 6A through 6G, including the Accounts Payable Ledger for claims payable on September 16th, 2022, totaling \$529,473.62; approval to destroy 2020 Presidential General Election material as per K.S.A. 25-2708; approval of Planning Case #2022-06 a request by Lawrence Street Properties, LLC for a conditional use permit to establish a coffee shop with drive-thru window. The property is located at 9805 S. Yoder Road which is at the southwest corner of E. Red Rock Road and S. Yoder Road; approval to declare Public Works' 1996 Tuff Pressure Washer with S/N 10088 as surplus to be auctioned on PurpleWave; approval to declare Public Works' 2008 Landa Pressure Washer Model VNG4-30024C as surplus to be auctioned on PurpleWave; approve appointments of Dave Yoder as the Fire Chief and Todd Strain as the Assistant Fire Chief of Reno County Fire District 8; approve purchase three 2023 Ford Interceptor SUVs from Midwest Ford in the amount of \$42,868 each for a total of \$128,604 as provided by staff. The motion was approved by a roll call vote of 2-0.

7A **Mr. Friesen moved, seconded by Mr. Hirst,** approving to designate Commissioner Ron Hirst as voting delegate and County Clerk Donna Patton as alternate for the Kansas Association of Counties (KAC) annual conference effective October 5, 2022, until the 2023 KAC Annual Conference. The motion was approved by a roll call vote of 2-0.

7B Information Technology Director Mike Mathews gave his annual report for 2022. He has a full staff of 8 and he said they had 2372 help tickets closing out 2253 tickets. He explained the document management specialist job since they started in February 2022 and said how many documents had been scanned for several of the departments. He spoke about development software projects adding the recent Welcome Kiosk in the Annex entry which contains information about the departments located in the Annex and other buildings that provide services. He gave a list of all the projects. Network improvements for performance and security. Working with Law Enforcement as an early adopter for our core Tyler law enforcement software and implemented an upgrade, testing and application to the live environment. Mr. Hirst appreciated the IT staff

County Administrator Randy Partington briefed the Board on the financial report stating some departments have a higher expenditure from fuel costs and overtime expenses made their percentages higher. Mr. Hirst stated inflation for the past month was at 8.3 percent. Mr. Partington said that inflation rate would hurt the budgets. Mr. Hirst said the supply and repair lines would be affected severely with inflation. Mr. Partington asked if there were questions on the monthly department reports. He will be making a presentation to the Bar Association Thursday at a luncheon on Wednesday. He and Mr. Friesen will be meeting for the annual State Fair Board on Wednesday morning to discuss any issues in the county/city.

Commissioner Comments:

Mr. Hirst had an email about attending the annual SCKEED Meeting. He commented on the State Fair's youth programs. He mentioned looking into the Saline County tag department having more than one location checking into the cost along with how they were handled and how efficient to have multiple locations.

Mr. Friesen spoke about attending yesterday the Quad County meeting in Wichita with Mr. Hirst, Mr. Partington and Mr. Hoffman. A quarterly meeting between Butler, Harvey, Reno, and Sedgwick. He learned about the Greater Wichita Partnership which is focusing on an 11-county involvement that includes Reno County offering resources with Economic Development projects. Mr. Friesen mentioned the fence viewing process went well a lot of effort by the county to resolve the dispute between the landowners. He appreciated the landowners for willingness to resolve the dispute among themselves and Mr. Hoffman for assisting with the resolution. Minutes should be clear at the end make a decision split on who

pays for what and damage on future ruling 50/50 replacement or over time to replace as well as natural disaster. Mr. Hoffman would draft an agreed order for the landowners based on what was discussed and if they both sign off it will be registered with the Register of Deeds, he would suggest that language to them. They will both have to agree to it, if they don't, it will come back to the Board on the agenda for a final decision.

At 9:40 the meeting recessed for five minutes.

The meeting reconvened with Chairman Friesen, Commissioner Ron Hirst, County Administrator Randy Partington, County Counselor Patrick Hoffman, and Minutes Clerk Cindy Martin, present.

**At 9:45 a.m. Mr. Friesen moved, seconded by Mr. Hirst,** to recess into executive session to discuss items of potential legal liability to the county, with executive session necessary to preserve attorney-client privilege, with the County Administrator Randy Partington, Human Resources Director Helen Foster, and County Counselor Patrick Hoffman to attend the session, and to return to open session at 10:05 a.m. The motion was approved by a roll call vote of 2-0.

**At 10:05 Mr. Friesen moved, seconded by Mr. Hirst,** to extend the executive session for five-minutes more. The motion was approved by a roll call vote of 2-0.

**At 10:10 Mr. Friesen moved, seconded by Mr. Hirst,** to extend the executive session for five-minutes more. The motion was approved by a roll call vote of 2-0.

At 10:15 a.m. the session returned to an open meeting with no action taken and adjourned until 9:00 a.m. Tuesday, September 27, 2022.

Approved:

\_\_\_\_\_  
Chair, Board of Reno County Commissioners

(ATTEST)

\_\_\_\_\_  
Reno County Clerk  
cm

\_\_\_\_\_  
Date





## AGENDA ITEM

## **AGENDA ITEM #6.C**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Jenna Fager, Deputy County Clerk

**AGENDA TOPIC:**  
Appointment of Brody Benson as Trustee of the Troy Township Board

**SUMMARY & BACKGROUND OF TOPIC:**

Ron Borth served as Troy Township Trustee and recently resigned due to health reasons. Loren Krehbiel and Paul Hershberger the two remaining board members have recommended Brody Benson to fill this position. Brody has expressed interest in filling this position. If not approved the township board will only have two members and will be unable to fulfill their duties as outlined by K.S.A. 80-505, until this position can be filled.

**ALL OPTIONS:**

Alternative actions include asking the township board members for another recommendation or making your own nominations.

**RECOMMENDATION / REQUEST:**

Appointment of Brody Benson as Troy Township Trustee as recommended by Loren Krehbiel, Troy Township Clerk and Paul Hershberger, Troy Township Treasurer.

**POLICY / FISCAL IMPACT:**

There is no county fiscal impact, however there is a fiscal impact to the township by not having the trustee position filled.

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**From:** Kansan Outlaw <[kansanoutlaw@gmail.com](mailto:kansanoutlaw@gmail.com)>

**Sent:** Wednesday, July 6, 2022 5:19 AM

**To:** elections <[elections@renogov.org](mailto:elections@renogov.org)>

**Subject:** [EXT\_SENDER] Troy township

I will be taking over Ron Borth position on the Troy Township Board. My address is 11719 West Irish Creek Rd, Partridge Ks. I can be reached at 620-200-8409. If there are any questions or concerns please let me know.

Thank you  
Brody Benson

**FILED**

**SEP 19 2022**

*Donna Patton*  
**COUNTY CLERK**

6/6/2022

From: Troy Township

To: Reno County Commissioners

We have received notice from the Reno County offices that Ron Borth has resigned his position on the township board.

We are recommending that Brody Benson be approved to finish out Ron's term of office. Brody has agreed to take this position. He will be submitting a letter affirming his willingness to serve.

Sincerely,

Lois Krehbiel, Clerk 6/6/22

Lois Krehbiel, Clerk

[Signature] 6-6-22

[Signature], Treasurer

lections@renogov.org

**FILED**

**JUN 06 2022**

*Donna Patton*  
**COUNTY CLERK**



8-17-22

I resign as Trustee  
for Troy Township due  
to health reasons.

Ron Borth  
~~Don Borth~~

**FILED**

AUG 17 2022

Donna Patton  
COUNTY CLERK



## AGENDA ITEM

## **AGENDA ITEM #6.D**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Randy Partington, County Administrator

**AGENDA TOPIC:**

Appoint Karen Hammersmith as the Reno County Public Health Officer, effective September 27, 2022.

**SUMMARY & BACKGROUND OF TOPIC:**

In August 2020, the Reno County commission appointed Karen Hammersmith as the Reno County Public Health Officer. The appointment at the time had followed the previous health director's departure, leaving Karen and Megan Gottschalk as co-interim directors of the department. The health officer is a position separate from a specific department position and historically been an aspect of the Health Department Director's position. Karla and I have had a discussion, and both feel that Karen is doing a good job and that the appointment should be official, removing the interim portion from her title.

**ALL OPTIONS:**

1. Appoint Karen Hammersmith as the Reno County Public Health Officer, effective September 27, 2022
2. Send the item back to staff for revisions to be brought at a future agenda date
3. Decline the appointment, thereby keeping the position as interim

**RECOMMENDATION / REQUEST:**

Appoint Karen Hammersmith as the Reno County Public Health Officer, effective September 27, 2022.



## COMMISSION

Ron Sellers  
District 1  
Vice-Chair

Ron Hirst  
District 2  
Member

Daniel P. Friesen  
District 3  
Chair

**Courthouse**  
206 W. 1<sup>st</sup> Avenue  
Hutchinson, KS 67501

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September 27, 2022

The Reno County Board of County Commissioners hereby appoints Karen Hammersmith, Assistant Director of Clinical Services, as the Reno County Public Health Officer as authorized by K.S.A. 65-201. Karen Hammersmith will serve in the capacity of the Health Officer as appointed until she is no longer an employee of Reno County or until either party, Board of County Commissioners or Karen Hammersmith, request differently. Reno County will pay a Working Out of Classification amount of \$600 monthly for the additional duties as the Reno County Public Health Officer to Karen Hammersmith. Appointment is effective September 27, 2022.

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Daniel Friesen, Chairman



## AGENDA ITEM

## **AGENDA ITEM #6.E**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Karla Nichols, Director and Megan Gottschalk, Asst Dir of Population Services

**AGENDA TOPIC:**

Reno County Health Department's (RCHD) application for the National Association of County & City Health Officials (NACCHO) Overdose Response Strategy (ORS) Pilot Project Grant.

**SUMMARY & BACKGROUND OF TOPIC:**

The National Association of County and City Health Officials (NACCHO) represents the nation's nearly 3,000 local health departments (LHDs), which work to protect and improve the health of all people and all communities. NACCHO provides resources to help LHD leaders develop public health policies and programs to ensure that communities have access to the vital programs and services people need to keep them protected from disease and disaster.

We would be applying for a \$50,000 Planning Award.

Since the RCHD did not receive the \$1,000,000 HRSA grant to continue our Rural Response to the Opioid Epidemic (RROE) work, this award would allow us to continue our planning efforts of having Medication Assisted Treatment (MAT) with the Reno County jail.

**ALL OPTIONS:**

1. Approve the application as requested.
2. Deny the application as requested.

**RECOMMENDATION / REQUEST:**

Approve the requested grant application and authorize the commissioner chair to sign.

**POLICY / FISCAL IMPACT:**

Utilize Grant funds to fund a portion of the Reno County Health Department.



## **Request for Applications**

### **Overdose Response Strategy (ORS) Pilot Projects**

**Date of release: September 1, 2022**

**\*Applications are due by 11:59 pm E.T. on October 3, 2022\***

## Summary Information

**Project Title:** Overdose Response Strategy (ORS) Pilot Projects  
**Proposal Due Date and Time:** October 3, 2022, at 11:59 pm E.T.  
**Selection Announcement Date:** On or around October 24, 2022  
**Source of Funding:** Centers for Disease Control and Prevention  
**NOA Award No.:** NU38OT000306  
**Maximum Funding Amount:** Up to \$50,000 for Planning Awards, up to \$80,000 for Implementation Awards and up to \$100,000 for Expansion Awards.  
**Estimated Period of Performance:** Upon execution of the contract – July 31, 2023.  
**Point of Contact for Questions Regarding this Application:** Audrey Eisemann, Senior Program Analyst, Overdose, Injury, and Violence Prevention ([aeisemann@naccho.org](mailto:aeisemann@naccho.org))  
**Application Submission:** Please submit all applications and supporting materials using the [online submission form](#).

### I. Background and Funding Overview

The National Association of County and City Health Officials (NACCHO) represents the nation’s nearly 3,000 local health departments (LHDs), which work to protect and improve the health of all people and all communities. NACCHO provides resources to help LHD leaders develop public health policies and programs to ensure that communities have access to the vital programs and services people need to keep them protected from disease and disaster.

With support from the Centers for Disease Control and Prevention (CDC), NACCHO is pleased to offer a funding opportunity to build the evidence base for promising and best practices in overdose prevention at the intersection of public health and public safety in [Overdose Response Strategy](#) (ORS) states. The ORS is a public health and public safety collaboration between CDC and the Office of National Drug Control Policy’s (ONDCP) High Intensity Drug Trafficking Area (HIDTA) program, supporting joint efforts to reduce overdose deaths at the local, state, and regional level. The ORS is implemented by state teams made up of Drug Intelligence Officers (DIO) and Public Health Analysts (PHA), who work together on drug overdose issues within and across sectors and states.

Through this funding opportunity, NACCHO and CDC will award up to **twelve (12)** applicants in different stages of their response to the overdose epidemic. **Applicants are defined as ORS Public Health Analysts (PHA) and public health and/or public safety organizations interested in co-writing a project proposal for this funding opportunity.** Project proposals must address drug overdose prevention strategies that engage both local public health and public safety and will be implemented in collaboration with the ORS PHA. As shown below, three types of awards will be available: planning, implementation, and expansion. The project period shall begin upon receipt of the Notice of Award and will end **July 31, 2023**. Applications must be submitted through the [online submission form](#) no later than **October 3, 2022 at 11:59 pm E.T.** **Please note that you will need to create a free MyNACCHO account to access the form** In fairness to all applicants, NACCHO will not accept late submissions.

#### Categories of awards:

- Planning Awards will be awarded up to \$50,000.
- Implementation Awards will be awarded up to \$80,000 each.
- Expansion Awards will be awarded up to \$100,000 each. Eligibility is restricted to recipients that received the ORS Pilot Project, Implementation or Expansion Award, in 2021-2022. Recipients of

this award category will lose eligibility for continued funding on the same project following five consecutive years of receipt for their project but may receive funding after five years for a new project.

Applications are due **by 11:59 pm E.T. on October 3, 2022**. The applicant must designate one main point of contact to submit the application and communicate directly with NACCHO subsequently. Applicants will be notified of their selection status by e-mail to the project point of contact on or **around October 24, 2022**. All necessary information regarding the project and application process may be found below. All questions should be sent via email to Audrey Eisemann ([aeisemann@naccho.org](mailto:aeisemann@naccho.org)) and will be reviewed by NACCHO and CDC staff.

**RFA Webinar: Writing a Strong Application for the ORS Pilot Project Award**

NACCHO and CDC will host an optional webinar on **September 6, 2022, 1-2 pm E.T.** with information for ORS State Teams and their partners interested in co-writing and submitting a project proposal for the ORS 2022-23 Pilot Projects. The webinar is an opportunity to learn about the ORS Pilot Project award, an overview of the project stages (planning, implementation, and expansion), roles and responsibilities of ORS team members and example products, and components of writing a strong application. At the end of this webinar the objective is for new pilot project applicants to feel prepared to approach a partner and write a strong proposal.

Register for the webinar here:

<https://us06web.zoom.us/meeting/register/tZMlcOyurD4uHtyRksBHYQXrPj13kLbj5FWt>

Applicants are advised to consider the following deadlines and events for this application.

Event	Date/Time
RFA Webinar: Writing a Strong Application for the ORS Pilot Project Award, register: <a href="#">here</a>	September 6, 2022, at 1 pm E.T.
Application Submission Deadline	October 3, 2022, at 11:59 pm E.T.
Award Notification Date	On or around October 24, 2022
End of Period of Performance	July 31, 2023

**II. Eligibility and Contract Terms**

**Eligibility requirements:** Applicants are defined as ORS Public Health Analysts (PHA) and public health and/or public safety organizations interested in co-writing a project proposal for this funding opportunity. To be considered eligible for this funding opportunity, applicants must:

- Target their pilot projects at the local and community level;
- Implement projects within ORS states that have a [CDC/CDC Foundation \(CDCF\)-funded PHA](#) during the application period. The involvement of the ORS PHA in developing the application and carrying out the project is a requirement\*. ORS DIO involvement is also highly encouraged and recommended;
- Demonstrate cross-sector collaboration with a public health partner (e.g., hospital or health system, harm reduction organization, public health department, behavioral health provider) and public safety partner (e.g., EMS, fire, law enforcement, corrections, parole and probation, courts); and
- Co-write the application and commit to jointly implementing the project as a public health, public safety, and ORS collaboration.

**\*ORS PHA participation in the pilot project is a requirement** of the award and requires a time commitment of about three to five hours per week on average from the PHA throughout the period of performance. Examples of PHA involvement include:

- Helping design the proposed project;
- Identifying relevant partners;
- Preparing the application;
- Participating in all technical assistance calls;
- Taking meeting minutes, and writing up action items for the deliverable(s);
- Helping prepare other deliverables;
- Helping draft, review, or revise all other project related documents (work plan, implementation plan or the equivalent, evaluation plan, final report, etc.);
- Collecting and/or analyzing qualitative and/or quantitative data;
- Conducting background research needed for implementation or evaluation;
- Taking on other responsibilities as needed.

**DIO participation is highly encouraged.** Examples of DIO involvement include:

- Facilitating partnerships with public safety agencies (i.e. law enforcement, criminal justice)
- Supporting data sharing to inform program development and evaluation
- Reviewing and providing feedback on program documents and materials (e.g. protocols, curriculums, data collection instruments)
- Participating in technical assistance calls
- Taking on other responsibilities as needed

**Contract terms:** Selected applicants will be required to identify and designate an agency to enter into a contract with NACCHO for the submission of the deliverables specified in the contract and serve as a fiscal agent for the project. NACCHO expects you as the applicant to review and agree to the NACCHO [standard contract language](#). However, if you know in advance that your agency or organization is going to have difficulty accepting any of the provisions in the contract, submit your requested revisions with your application materials. If you are an applicant from Florida or Texas, please contact NACCHO immediately for a copy of the Florida or Texas standard contract.

NACCHO will establish a fee-for-service contract with the awarded applicant whereas deliverables will be listed in the recipient contract and payment will be remitted upon submission and acceptance of those items; see section IV for the deliverable schedule.

### **III. Award Categories and Proposed Activities**

Applicants may apply to only one of three categories of awards:

- 1) **Planning Award:** Up to \$50,000 each – Proposals should describe how the applicant will begin planning a project that integrates public health and public safety to reduce opioid and stimulant-involved overdose deaths. Applicants should apply with the intent of engaging stakeholders in the planning process.
- 2) **Implementation Award:** Up to \$80,000 each – Proposals should describe how funds will be used to implement a new project or enhance an existing one, generate measurable outcomes, and continue to engage community partners.
- 3) **Expansion Award:** Up to \$100,000 each – Eligibility is restricted to recipients that previously received the ORS Pilot Project Implementation or Expansion Award in 2021-2022. Proposals should describe how funds will be used to scale and/or rigorously evaluate the current effort.

Priority will be given to applications that clearly describe how the project will:



- Meaningfully engage people who use drugs and/or populations disproportionately impacted by substance use related harms in planning (e.g., through focus groups or advisory boards), implementation, and evaluation activities. See [the Spectrum of Community Engagement to Ownership](#) for insight into how meaningfully engaging people with lived/living experience.
- Prioritize populations historically neglected and disproportionately impacted by the overdose epidemic.
- Apply a health equity lens or approach to public health/public safety interventions. Applicants may consider applying frameworks, like the social-ecological model, WHO Conceptual Framework on social determinants of health and/or other health equity concepts, to address health equity within the implementation and evaluation of the proposed pilot project.
- Represent novel cross-sector collaborations, such as between law enforcement and harm reduction.

Proposed ideas under the planning and implementation award categories should focus on innovation in overdose prevention that allow jurisdictions to respond to emerging threats or address a notable gap in the jurisdiction’s overdose prevention portfolio. Areas that may be ripe for innovation include, but are not limited to:

- Establishing partnerships with Medications for Opioid Use Disorder (MOUD) treatment providers.
- Deflection programs or alternatives to incarceration through pre-arrest diversion or pre-trial diversion programs.
- Developing linkages to care upon release from incarceration, such as through peer recovery specialists.
- Overdose education and naloxone distribution in jails or prisons.
- Improving public health/public safety data sharing practices, including collection and utilization of data.
- Enhancing public health/public safety collaborations through the innovative use of technology to prevent or respond to overdoses.
- Training first responders in various topics including but not limited to trauma-informed care, how to address issues of vicarious trauma, and implicit bias.
- Conducting post-overdose outreach to connect individuals who recently experienced an overdose and/or their loved ones to services in the community. Post-overdose outreach strategies must use a multidisciplinary outreach team such as clinicians, community organizations, peer recovery specialists, health department staff, etc.
- Addressing issues of polysubstance and stimulant use.
- Enhancing collaborations between public safety and harm reduction.
- Implementing evidence-based interventions to reduce fatal and non-fatal overdoses (as described in [CDC’s Evidence-based Strategies for Preventing Opioid Overdose: What’s Working in the United States](#)).
- Employing fentanyl test strips in overdose prevention as a harm reduction or engagement tool.
- Early “upstream” prevention of opioid and stimulant use and misuse in community or school settings.

Proposed pilot project ideas and activities should not duplicate activities/efforts taking place under CDC’s Overdose Data to Action (OD2A) Cooperative Agreement in that jurisdiction. All projects described that include group activities or interaction with the public must adhere to CDC recommended safety protocols including local COVID-19 policies.

## IV. Project Requirements and Expectations

Requirements and expectations are determined based on the type of award (planning, implementation, or expansion funding).

### Planning Awards

All awardees will be required to conduct the following activities throughout the project period:

- Complete the ORS Pilot Capacity Assessment Tool to assess capacity to implement and evaluate pilot
- Develop an evaluation plan using the ORS template to include SMARTIE objectives, a logic model, and evaluation methods and data collection instruments.
- Develop a detailed implementation plan or protocol\* that describes the pilot project activities and the implementation process.
- Participate in monthly technical calls with NACCHO, CDC, and other stakeholders to discuss program progress, successes, and challenges.
- Participate in peer-to-peer learning community calls with other awardees.
- Present during one of the learning community calls.
- Participate in evaluation-related activities with NACCHO and CDC to share challenges, results, and outcomes.
- Develop a final report describing accomplishments, success stories, evaluation findings, and future directions of the pilot.
- Include populations of interest (e.g., populations with lived experience, program participants) in the development, implementation, and evaluation of activities and strategies.

The following outlines the deliverables to be produced by each awardee; however, a finalized scope of work will be agreed upon post awardee selection.

Invoice number	Primary Task/Deliverable (Planning Awards)	Payment Schedule
Invoice 1	1. Participate in project kick-off call with NACCHO, CDC and selected grantee. Time and date TBD. Provide list of attendees. (1.1)	5% of funding
	2. Pre-assessment. (1.2)	5% of funding
	3. Goals and objectives (1.3)	10% of funding
Invoice 2	1. Logic model (2.1)	10% of funding
	2. Implementation protocol draft* (2.2)	10% of funding
Invoice 3	1. Final implementation protocol* (3.1)	10% of funding
	2. Updated workplan. (3.2)	5% of funding
	3. Evaluation Plan draft, including draft data collection instruments. (3.3)	10% of funding
Invoice 4	1. Completion of CDC and NACCHO project survey. (4.1)	5% of funding
	2. Final project evaluation plan, including final data collection instruments. (4.2)	10% of funding
	3. Complete end of project report to articulate results/findings, challenges, lessons learned, successes, and future directions. Include final workplan. (4.3)	10% of funding
Invoice 5	1. Present during a Learning Community call. Provide slides or agenda. (5.1)	10% of funding

Please note: NACCHO reserves the right to make changes to the project timeline and payment schedule if necessary.

\*Implementation protocols will be defined based on the project. E.g. a post-overdose outreach program might have a standard operating procedure, whereas an overdose education and naloxone distribution program would have a curriculum to meet this requirement.

## Implementation Awards

All awardees will be required to conduct the following activities throughout the project period:

- Complete the ORS Pilot Capacity Assessment Tool to assess capacity to implement and evaluate pilot
- Develop an evaluation plan using the ORS template to include SMARTIE objectives, a logic model, and evaluation methods and data collection instruments.
- Develop a detailed implementation plan or protocol\* that describes the pilot project activities and the implementation process, if applicable.
- Participate in monthly technical calls with NACCHO, CDC, and other stakeholders to discuss program progress, successes, and challenges.
- Participate in peer-to-peer learning community calls with other awardees.
- Present during one of the learning community calls.
- Participate in evaluation-related activities with NACCHO and CDC to share challenges, results, and outcomes.
- Develop a final report describing accomplishments, success stories, evaluation findings, and future directions of the pilot.
- Include populations of interest (e.g., populations with lived experience, program participants) in the development, implementation, and evaluation of activities and strategies.
- Site-specific deliverables\*\*

The following outlines the deliverables to be produced by each awardee; however, a finalized scope of work will be agreed upon post awardee selection.

Invoice number	Primary Task/Deliverable (Implementation Awards)	Payment Schedule
Invoice 1	1. Participate in project kick-off call with NACCHO, CDC and selected grantee. Time and date TBD. Provide list of attendees. (1.1)	5% of funding
	2. Pre-assessment. (1.2)	5% of funding
	3. Goals and objectives (1.3)	5% of funding
	4. Logic model (1.4)	5% of funding
Invoice 2	1 Evaluation Plan draft, including draft data collection instruments. (2.1)	10% of funding
	2.Implementation protocol draft* (2.2)	10% of funding
	3. Site-specific deliverable TBD** (2.3)	5% of funding
Invoice 3	1. Final project evaluation plan, including final data collection instruments. (3.1)	10% of funding
	2. Site-specific deliverable TBD** (3.2)	5% of funding
	3. Updated workplan (3.3)	5% of funding
Invoice 4	1. Completion of CDC and NACCHO project survey. (4.1)	5% of funding
	2. Final implementation protocol.* (4.2)	10% of funding
	3. Complete end of project report to articulate results/findings, challenges, lessons learned, successes, and future directions. Include final workplan. (4.3)	10% of funding
Invoice 5	1. Present during a Learning Community call. Provide slides or agenda. (5.1)	10% of funding

Please note: NACCHO reserves the right to make changes to the project timeline and payment schedule if necessary.

\*Implementation protocols will be defined based on the project. E.g. a post-overdose outreach program might have a standard operating procedure, whereas an overdose education and naloxone distribution program would have a curriculum to meet this requirement.

\*\*These deliverables will be informed by the applicant’s proposed work plan.

## Expansion Awards

All awardees will be required to conduct the following activities throughout the project period:

- Complete the ORS Pilot Capacity Assessment Tool to assess capacity to implement and evaluate pilot
- Develop an evaluation plan using the ORS template to include SMARTIE objectives, a logic model, and evaluation methods and data collection instruments.
- Develop a detailed implementation plan or protocol that describes the pilot project activities and the implementation process, if applicable.
- Participate in monthly technical calls with NACCHO, CDC, and other stakeholders to discuss program progress, successes, and challenges.
- Participate in peer-to-peer learning community calls with other awardees.
- Present during one of the learning community calls.
- Participate in evaluation-related activities with NACCHO and CDC to share challenges, results, and outcomes.
- Develop a final report describing accomplishments, success stories, evaluation findings, and future directions of the pilot.
- Include populations of interest (e.g., populations with lived experience, program participants) in the development, implementation, and evaluation of activities and strategies.
- Site-specific deliverables or sustainability plan\*\*

The following outlines the deliverables to be produced by each awardee; however, a finalized scope of work will be agreed upon post awardee selection.

Invoice number	Primary Task/Deliverable (Expansion Awards)	Payment Schedule
Invoice 1	1. Participate in project kick-off call with NACCHO, CDC and selected grantee. Time and date TBD. Provide list of attendees. (1.1)	5% of funding
	2. Pre-assessment. (1.2)	5% of funding
	3. Goals and objectives (1.3)	5% of funding
	4. Logic model (1.4)	5% of funding
Invoice 2	1 Evaluation Plan draft, including draft data collection instruments. (2.1)	10% of funding
	2. Implementation protocol draft* (2.2)	5% of funding
	3. Site-specific deliverable TBD or sustainability plan draft** (2.3)	5% of funding
Invoice 3	1. Final project evaluation plan, including final data collection instruments. (3.1)	10% of funding
	2. Final implementation protocol.* (3.2)	10% of funding
	3. Updated workplan (3.3)	5% of funding
Invoice 4	1. Completion of CDC and NACCHO project survey. (4.1)	5% of funding
	2. Site-specific deliverable TBD or final sustainability plan** (4.2)	10% of funding
	3. Complete end of project report to articulate results/findings, challenges, lessons learned, successes, and future directions. Include final workplan. (4.3)	10% of funding
Invoice 5	1. Present during a Learning Community call. Provide slides or agenda. (5.1)	10% of funding

Please note: NACCHO reserves the right to make changes to the project timeline and payment schedule if necessary.

\*Implementation protocols will be defined based on the project. E.g. a post-overdose outreach program might have a standard operating procedure, whereas an overdose education and naloxone distribution program would have a curriculum to meet this requirement.

\*\*These deliverables will be informed by the applicant’s proposed work plan.

## V. Support and Technical Assistance

NACCHO and CDC will work closely with award recipients at each site to develop, implement, and evaluate their pilot project. CDC will serve as the main resource for all pilot projects and a CDC project officer will be assigned to each selected site as the point of contact. Each CDC project officer will assist newly funded recipients with completing the deliverables and providing any technical assistance needed throughout the project, including supporting recipients in the development of work plans and evaluation plans, and linking recipients to existing CDC efforts in the state.

Additional support to each pilot project site may include:

- Assisting with the development and monitoring of pilot project work plans, deliverables, contracts, and invoices; hands-on evaluation support; training opportunities to improve skill sets; and connections with CDC-funded partners and programs in that state.
- Creating linkages, if appropriate, between community, local, and/or tribal projects CDC is funding in collaboration with other Federal partners, such as the Department of Justice, the US Department of Agriculture, the Health Resources and Services Administration, and the Substance Abuse and Mental Health Services Administration.

Expansion projects will receive “light touch” support from CDC and are expected to have greater staff and organizational capacity for implementing pilot activities than newly funded recipients.

NACCHO will also assign a point person for each site and specific support will include assisting CDC and recipients with developing project work plans and deliverables; assisting CDC with the development of evaluation plans for each site, hosting peer-to-peer webinars, and providing overall contractual oversight for each project (e.g., establishing contracts with fiscal entities, invoicing and payments, final reports from each site to capture facilitators, barriers, best/promising practices to inform CDC/the field).

## VI. Application Instructions

To apply for this funding opportunity:

- Review the requirements and expectations outlined in this RFA.
- Review NACCHO’s [standard contract language](#).
- Complete the [online submission](#) form by **11:59 pm E.T. on October 3, 2022**.
  - Applicants will need to make a free MyNACCHO account to access the application.
  - Applicants will be able to save responses in the online form and return to them as needed during the submission process, as long as it is accessed through the same device and browser and the cache has not been cleared.
- All questions may be directed to Audrey Eisemann at [aeisemann@naccho.org](mailto:aeisemann@naccho.org).

Applicants will be notified of their selection status by e-mail to the project point of contact **on or around October 24, 2022**. Selected applicants will be required to confirm participation and agreement with the contract scope of work after receiving a notification. The designated point of contact for selection must be available to receive and respond to the notification in a timely manner.

## VII. Selection process and criteria

Applications will be reviewed by NACCHO and CDC and scored based on the following criteria. The budget will not be included in the scoring criteria but is required for complete application submissions. NACCHO will not review incomplete applications.

### 1. Evidence of Need (20%)

- Describe the overdose burden in the target jurisdiction. Include relevant background and community context.
- Describe priority populations (populations that are disproportionately impacted by substance use related harms or historically underserved) in the community.
- Applicants must describe identified community needs and gaps in current services for overdose prevention, which the proposed pilot will address.

### 2. Pilot Project Proposal (40%)

#### Planning Projects

- Describe the proposed idea or intervention, including the following (details to be provided in the workplan):
  - Goal(s)
  - Priority populations to receive services
  - Proposed activities and/or services provided (examples of activities for a planning project include but are not limited to key informant interviews, developing memorandum's of understanding (MOUs) between partners, and listening sessions with stakeholders.)
  - Partners involved and the role(s) of each partner
- Describe how the proposed idea or intervention addresses the issues described in the "Evidence of Need". *Planning project applicants do not need to explicitly describe how the proposed project is evidence-based or evidence-informed. However, as part of the review process, NACCHO and CDC may request that the applicant provide additional evidence that the proposed project shows promise to reduce overdoses and/or does not have the potential to increase health disparities or have unintended harmful consequences.*
  - Describe how the proposed idea or intervention focuses on innovation as described above (Section III).
  - Describe how the proposed idea or intervention will address health equity and social determinants of health.
- Priority will be given to applications that clearly describe how the project will:
  - Meaningfully engage people who use drugs and/or populations disproportionately impacted by substance use related harms in project activities.
  - Prioritizes populations historically neglected and disproportionately impacted by the overdose epidemic.
  - Represent novel cross-sector collaborations, such as between law enforcement and harm reduction.
  - Apply a health equity lens or approach to public health/public safety interventions.

### **Implementation Projects**

- Describe the proposed idea or intervention, including the following (details to be provided in the workplan):
  - Goal(s)
  - Priority populations to receive services
  - Proposed activities and/or services provided
  - Partners involved and the role(s) of each partner
- Provide evidence to support the proposed activities/services.
  - Describe what we know already about how well the proposed activities/services work and what questions remain (e.g. from literature reviews, similar interventions, evidence-based or promising practices in overdose prevention). *As part of the review process, NACCHO and CDC may request that the applicant provide additional evidence that the proposed project shows promise to reduce overdoses and/or does not have the potential to increase health disparities or have unintended harmful consequences.*
  - Describe how the proposed idea or intervention will build the evidence base for overdose prevention programs at the intersection of public health and public safety.
  - Describe how the proposed idea or intervention focuses on innovation as described above (Section III).
  - Describe how the proposed idea or intervention will address health equity and social determinants of health.
- Priority will be given to applications that clearly describe how the project will:
  - Meaningfully engage people who use drugs and/or populations disproportionately impacted by substance use related harms in project activities.
  - Prioritizes populations historically neglected and disproportionately impacted by the overdose epidemic.
  - Represent novel cross-sector collaborations, such as between law enforcement and harm reduction.
  - Apply a health equity lens or approach to public health/public safety interventions.

### **Expansion Projects**

- Describe your current project work and proposed expansion.
  - Describe your 2021-2022 accomplishments, outputs and, if available, outcomes.
  - Describe what we know already about how well the intervention works and what questions remain.
  - Describe how additional funds would be used to expand or scale up the project and/or conduct more robust evaluation activities.
  - Describe the populations you plan to target.
  - Attach the most recent version of your work plan, evaluation plan and final report from the 2021-2022 Pilot Project.
- Provide evidence to support the proposed activities/services.
  - Describe what we know already about how well the proposed activities/services work and what questions remain (e.g. from literature reviews, similar interventions, evidence-based or promising practices in overdose prevention). *As part of the review process, NACCHO and CDC may request that the applicant provide additional evidence that the proposed project shows promise to reduce overdoses and/or does not have the potential to increase health disparities or have unintended harmful consequences.*

- Describe how the proposed idea or intervention will build the evidence base for overdose prevention programs at the intersection of public health and public safety.
- Describe how the proposed idea or intervention focuses on innovation as described above (Section III).
- Describe how the proposed idea or intervention will address health equity and social determinants of health.
- Priority will be given to applications that clearly describe how the project will:
  - Meaningfully engage people who use drugs and/or populations disproportionately impacted by substance use related harms in project activities.
  - Prioritizes populations historically neglected and disproportionately impacted by the overdose epidemic.
  - Represent novel cross-sector collaborations, such as between law enforcement and harm reduction.
  - Apply a health equity lens or approach to public health/public safety interventions.

### 3. Applicant Information and Implementing Capacity (30%)

- Applicants must describe the nature of the cross-sector collaboration.
  - Define the public health partner (e.g., hospital or health system, harm reduction organization, public health department, behavioral health provider) and public safety partner (e.g., EMS, fire, corrections, parole and probation, courts).
  - Involvement of the ORS PHA in developing the application, if not the primary applicant, must be demonstrated. ORS DIO involvement is also highly encouraged and recommended.
- Briefly describe any past or ongoing collaboration between the collaborating team (public health, public safety, ORS PHA) and respective roles on those initiatives.
- Describe the agreed upon roles and responsibilities for this proposed project and plan to collaborate on this initiative. Specify and list the contributions of the ORS PHA, public health partner, and public safety partner.
- Demonstrate expertise and organizational ability to implement the proposed project and successfully execute needed oversight for administrative and fiscal tasks.
- Provide resumes or curriculum vitae of all key pilot project staff (those who are essential to this public health/public safety/ORS collaboration and to carrying out your project proposal), highlighting relevant knowledge, expertise/qualifications, and experience.
- Applicants must commit to a project that will be jointly implemented by the public health partner, public safety partner, and ORS PHA.
  - Applicants are required to provide Letters of Support (LOS) describing their public health/public safety partnership and demonstrate that the proposed collaborators commit to the application and agree to regular meetings to support and coordinate activities.

### 4. Work Plan (10%)

- Applicants will be scored on their preparation of a reasonable work plan describing their proposed work and planned timeline.
- After reading the work plan, reviewers should be able to understand how the applicant plans to achieve outcomes, strategies, and activities described in the approach.
- All workplans should use S.M.A.R.T.I.E. objectives.



#### 5. Budget and Budget Narrative (template provided)

- Applicants must provide a detailed line-item budget and narrative justification of the items included in their proposed budget.
- The budget will not be included in the scoring criteria but is required for complete application submissions. The purpose of the line-item budget is to demonstrate that the applicant has considered appropriate funding needed to accomplish the proposed work. **The budget should span approximately 9 months with the understanding that the project will end on July 31, 2023.** Awardees must comply with all federal regulations under 45 CFR 75, which is incorporated by reference in the contract. Restrictions that must be considered while planning the programs and writing the budget are listed in Appendix A.
- Include a budget narrative (one page) to explain each line-item and how the amounts were derived.

### VIII. Attachments

Please find below, links to additional information, forms, and resources needed for this application submission.

- [Application Form](#) (please note you will need to create a free MyNACCHO account to access this)
- Anticipated [work plan](#)
- NACCHO Standard Contract Language – [standard contract language](#)
  - *Please note that submission of a proposal is a statement of acceptance of NACCHO's standard form contract. If any items cannot be accepted, these issues should be noted in track changes/comments on the standard contract language as an appendix to your proposal.*
- Required: Complete and submit the [Budget](#) and [Budget Narrative](#) templates
- Required: Complete and submit the [Vendor Information Form](#)
- Required: Complete and submit the [Certification of Non-Debarment](#)
- Required: Submit a [W-9](#)
- Required: Proof of active registration with SAM.gov in accordance with UEI number
- Federally approved indirect/fringe rate or a signed letter on letterhead that provides a detailed breakdown and allocation for expenses incorporated as the indirect rate in your budget (as applicable)
- Required for applications of \$30,000: [FFATA form](#) (if you are not able to complete this by the application deadline, you may submit it one week after you have been selected).

## APPENDIX A

### List of unallowable costs

Recipients may use funds only for reasonable program purposes, including personnel, travel, supplies, and services. NACCHO reserves the right to request a revised cost proposal, should CDC determine applicant's proposed cost as unallowable. Restrictions that must be considered while planning the programs and writing the budget:

1. Naloxone/Narcan and syringes. Harm reduction and linkage to care activities are acceptable as long as they are not prohibited purchases.
2. HIV/HCV/other STD/STI testing.
3. Drug disposal. This includes Implementing or expanding drug disposal programs or drug take-back programs, drug drop box, drug disposal bags.
4. The provision of medical/clinical care.
5. Wastewater analysis, including testing vendors, sewage testing and wastewater testing.
6. Direct funding or expanding the provision of substance abuse treatment.
7. Recipients may not use funds for clinical care except as allowed by law.
8. Recipients may not use funds for research.
9. The prevention of Adverse Childhood Experiences (ACEs) as a stand-alone activity. However, activities related to ACEs are allowable if they pertain to establishing linkage to care, or to providing training to public safety and first responders on trauma-informed care.
10. Incentives will be considered on a case-by-case basis. If you wish to include incentives in your project, please include them in your budget and specify the type being requested (e.g. gift cards), along with a justification for how this is necessary to support your project's goals in the budget narrative.
11. Vehicles.
12. Funds can be used to support training and education around Medication-Assisted Treatment (MAT) waivers; however, funds cannot be used to pay for fees associated with providers obtaining waived status. This applies to both direct reimbursements and contracts.
13. Certain activities that cover neonatal abstinence syndrome (NAS) surveillance are unallowable. In particular, funding the collection of NAS surveillance data is unallowable, however, using existing data to support NAS-related prevention activities (i.e., linkage to care) may be allowable.
14. Public safety activities that do not include clear overlap/collaboration with public health partner and objectives.
15. Food and beverage requests will be approved on a case-by-case basis and will require the submission of further documentation.
16. Prohibition on certain telecommunications and video surveillance services or equipment (Pub. L. 115-232, section 889): Recipients and subrecipients are prohibited from obligating or expending grant funds (to include direct and indirect expenditures as well as cost share and program funds) to:
  1. Procure or obtain,
  2. Extend or renew a contract to procure or obtain; or
  3. Enter into contract (or extend or renew contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Pub. L. 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by

Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

- i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
  - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
  - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise, connected to the government of a covered foreign country. President's Emergency Plan for AIDS Relief (PEPFAR) funding is exempt from the prohibition under Pub. L. 115-232, section 889 until September 30, 2022. During the exemption period, PEPFAR recipients are expected to work toward implementation of the requirements
17. Generally, recipients may not use funds to purchase furniture or equipment. Any such proposed spending must be clearly identified in the budget.
18. Travel Costs – Hotel, meals and incidentals generally should not exceed the Federal Travel Per Diem Rates published by the General Services Administration. There are many rules and exceptions in applying this rule. Please contact NACCHO with specific questions about these exceptions.
19. Reimbursement of pre-award costs generally is not allowed, unless the CDC provides written approval to the recipient.
20. Other than for normal and recognized executive-legislative relationships, no funds may be used for:
  - o publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
  - o the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action,
  - o or Executive order proposed or pending before any legislative body





## AGENDA ITEM

## **AGENDA ITEM #6.F**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Jessica Susee, JCAB Coordinator

**AGENDA TOPIC:**  
Juvenile Corrections Advisory Board Education Representative Appointment

### **SUMMARY & BACKGROUND OF TOPIC:**

The Juvenile Corrections Advisory Board is comprised of members in accordance with the Statute of the State of Kansas #75-7044. One of the positions the BOCC is responsible for appointing on the JCAB is the Education Representative. Per KSA 75-7044(a)(4): "The education representative shall be an educational professional appointed by the board of county commissioners of the county or, if two or more counties are cooperating, by the boards of county commissioners of those counties."

The current Education Representative, Bernard Smith, has retired, and a new appointment needs to be made by the BOCC.

This board vacancy has been publicly listed on the County's website and on social media since 5/24/22. In addition, an email was sent on 5/24/22 to all Reno County school district Superintendents and school principals announcing the vacancy and encouraging district administrators to spread the word about this opportunity and encourage interested professionals to apply. Applications were received from Abby Thompson, Principal at Prairie Hills Middle School, David L. Patterson, Director of Alternative Education for USD 308, and Kyle Sawyer, Assistant Principal at Hutchinson High School. Current JCAB members were provided with all applications and asked for their recommendation for appointment from the pool of applicants, and David L. Patterson received the most recommendations from current JCAB members.

### **ALL OPTIONS:**

Appoint David L. Patterson to serve as the Education Representative for the Juvenile Corrections Advisory Board for a term of 9/27/22-9/27/25.

Appoint another of the applicants.

Appoint none of the three applicants and continue to seek additional applicants.

Make an appointment at a later date.

### **RECOMMENDATION / REQUEST:**

Select and appoint an applicant to serve as the Education Representative on the Juvenile Corrections Advisory Board for a 3-year term of 9/27/22-9/27/25. JCAB recommends appointment of David L. Patterson for this position.

*Commissioner Friesen viewed all applications and asked for staff recommendation.*

**POLICY / FISCAL IMPACT:**

There is no fiscal or policy impact. Bernard Smith will continue to serve in his appointed role as Education Representative until a new appointment is made.

APPLICATION FOR APPOINTMENT TO RENO COUNTY  
BOARDS/COMMITTEES/COMMISSIONS

Name of Board/Committee/Commission Preference (Please complete one application for each board, commission, or committee membership)

Are you presently serving on a County board, committee or commission? If so, which one(s)? (Please provide expiration term date)

Name: Abby Thompson

Residence Address:

City: Hutchinson

State: KS

Zip: 67502

Home Phone:

Cell-Phone:

Email: athompson@usd313.org

Are you presently employed where you may be reached for board, committee or commission purposes? yes

Name of Business: USD 313 - Prairie Hills Middle School

Address: 3200 Lucille Dr.

City: Hutchinson

State: KS

Zip: 67502

Work Phone: 620-662-6027

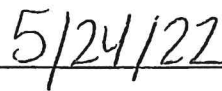
Email: athompson@usd313.org

Please indicate below your reasons for wanting to serve on this board, committee, or commission. Tell what special knowledge, skills, experience, or background you possess that you believe are applicable to this board.

I have a vested interest in the community and our young people as I am the Principal at Prairie Hills Middle School and also the mother of 3 teenagers. I worked in Hutch USD 308 for almost 10 years as a teacher and currently serve the Buhler USD 313 district as an administrator, so I believe I have a well-rounded view of the challenges that we are up against in our community. I understand that problems affect all youth regardless of ethnicity or demographic. I would be honored to be part of this team/committee and to be part of the solution to help not only our at-risk youth, but ALL youth. The youth people of our town and county deserve a chance to be successful, contributing members and to feel a sense of pride in having their voice and contributions matter. I work with young people every day so I believe I would be able to bring an authentic view/voice of what is happening with our youth to the team. I would love to be able to be a part of a team committed to helping the youth of Reno County.



Signature of Applicant



Date

APPLICATION FOR APPOINTMENT TO RENO COUNTY  
BOARDS/COMMITTEES/COMMISSIONS

Name of Board/Committee/Commission Preference (Please complete one application for each board, commission, or committee membership)

Reno County Juvenile Corrections Advisory Board

Are you presently serving on a County board, committee or commission? If so, which one(s)? (Please provide expiration term date)

Name: David L Patterson

Residence Address:

City: Inman

State: KS

Zip: 67546

Home Phone:

Cell-Phone:

Email: pattersondl@usd308.com

Are you presently employed where you may be reached for board, committee or commission purposes? Yes

Name of Business: USD 308 Hutchinson Public Schools

Address: 111 S Madison

City: Hutchinson

State: KS

Zip: 67501

Work Phone: 620-615-4950

Email: pattersondl@usd308.com

Please indicate below your reasons for wanting to serve on this board, committee, or commission. Tell what special knowledge, skills, experience, or background you possess that you believe are applicable to this board.

I have been with USD 308 since the Fall of 2000. I have served as a teacher and an administrator during that time. Currently, my title is the Director of Alternative Education. In that role, I supervise our 9-12 alternative school called "MidTown", our K-12 virtual school, our K-12 Alternative Learning Placement program and the Adult Completion program. I also supervise the RCYS teachers.

Serving on this committee would give me an opportunity to share my experiences, but also learn from others in the community who are working with at-risk students. I welcome the chance to improve at-risk services for Hutchinson and Reno County.

Signature of Applicant

Date

2/28/2019



APPLICATION FOR APPOINTMENT TO RENO COUNTY  
BOARDS/COMMITTEES/COMMISSIONS

Name of Board/Committee/Commission Preference (Please complete one application for each board, commission, or committee membership)

Reno County Juvenile Corrections Advisory Board

Are you presently serving on a County board, committee or commission? If so, which one(s)? (Please provide expiration term date) No

Name: Kyle Sawyer

Residence Address:

City: Hutchinson

State: KS

Zip: 67502

Home Phone:

Cell-Phone:

Email: sawyer.kyle@usd308.com

Are you presently employed where you may be reached for board, committee or commission purposes? Yes

Name of Business: Hutchinson High School - USD 308

Address: 810 E 13th Street

City: Hutchinson

State: KS

Zip: 67501

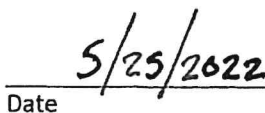
Work Phone: 620-615-4116

Email: sawyer.kyle@usd308.com

Please indicate below your reasons for wanting to serve on this board, committee, or commission. Tell what special knowledge, skills, experience, or background you possess that you believe are applicable to this board.

I currently serve as an assistant principal at Hutchinson High School. I'm interested in this role because we serve a number of students who are at-risk and have contact with the criminal justice system. I think I can provide a unique perspective to the board with my role at the largest school in Reno County. I hold a degree in criminology from the University of Northern Iowa that I obtained before going into education. I have some background knowledge in criminal justice processes and extensive experience in education. Based on the information I received about this position, I am interested in being a part of organizing, planning and being a part of the committee and to help the community.

  
Signature of Applicant

  
Date





## AGENDA ITEM

## **AGENDA ITEM #6.G**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Mark Vonachen

**AGENDA TOPIC:**

Planning Case #2022-06 - A resolution approving a request for a conditional use permit for Lawrence Street Properties, LLC to establish a coffee shop at 9805 S. Yoder Road.

**SUMMARY & BACKGROUND OF TOPIC:**

The Planning Commission recommended approval of this request by a 7-0 vote on August 18, 2022.

The County Commissioners approved of this request by a 2-0 vote on September 13, 2022.

This resolution journalizes the County Commissioners' decision.

The County Counselor has reviewed and approved of the resolution.

**ALL OPTIONS:**

Approval of the resolution as submitted.

Deny the resolution.

Return to staff the resolution with requested changes.

**RECOMMENDATION / REQUEST:**

Approval of the resolution.

**POLICY / FISCAL IMPACT:**

None

**RESOLUTION 2022-**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR THE ESTABLISHMENT OF A COFFEE SHOP ON A PARCEL LOCATED  
IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 24 SOUTH,  
RANGE 5 WEST OF THE 6<sup>TH</sup> P.M. IN RENO COUNTY, KANSAS**

WHEREAS, Lawrence Street Properties, LLC applied for a Conditional Use Permit to establish a coffee shop upon a defined parcel of land more particularly described as follows:

Lot 25, Block 2, City of Yoder, Reno County, Kansas as described on that trustee's deed filed in Book 684 on page 10 of the Office of the Reno County Register of Deeds on July 13, 2021, which is incorporated herein by reference.

WHEREAS, said parcel is currently zoned V-1 – Village District for residential use in accordance with the Reno County Zoning Regulations; and a coffee shop is permitted in the V-1 Zoning District with a Conditional Use Permit; and

WHEREAS, the Reno County Planning Commission conducted a public hearing on the Application on July 21, 2022, following satisfaction of all notice requirements for such hearing as required by K.S.A. 12-757; and

WHEREAS, at the public hearing all interested parties in attendance were provided an opportunity to be heard; and the Reno County Planner presented a written report for the Conditional Use Permit dated July 14, 2022, which report, under the heading "FACTORS", included a discussion and applications to be considered when making land use decisions pursuant to Golden v. City of Overland Park, 224 Kan. 591. Additionally, the Reno County Planner presented a staff recommendation to table the Application; and

WHEREAS, at the conclusion of the public hearing, the Reno County Planning Commission recommended tabling of the Application until August 18, 2022, in order to

provide staff and the applicant an opportunity to submit additional information before providing a recommendation; and

WHEREAS, the Reno County Planning Commission reconvened on August 18, 2022, and reviewed the requested information, which included a traffic count, accident report, drainage, and utilizing E. Red Rock Road as an entrance; and

WHEREAS, the Reno County Planning Commission adopted and recommended approval of the Conditional Use Permit with conditions based upon the Reno County Planner's and Planning Commission's analysis of the "FACTORS" to be considered pursuant to *Golden* and other factors as outlined in the Reno County Zoning Regulations numbered one through ten inclusive; and

WHEREAS, on September 13, 2022, the Reno County Commission at its regular public meeting received a Summary Report dated August 26, 2022, of the proceedings before the Reno County Planning Commission and the Planning Commission's recommendation of approval of the Conditional Use Permit with special conditions; and

WHEREAS, upon conclusion of the Board's deliberations, Commissioner Hirst moved to approve the Planning Commission's recommendation for approval of the Conditional Use Permit along with all of the special conditions recommended by the Planning Commission. In support of his motion, Commissioner Hirst cited "FACTORS" numbered one through ten inclusive found in the analysis presented within the Reno County Planner's Summary Report. Commissioner Friesen seconded the motion. The motion was approved by unanimous vote.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, that the above and foregoing findings are adopted as the decision of this Board. The aforesaid Conditional Use Permit

Application made by Lawrence Street Properties, LLC is approved subject to all of the  
aforementioned special conditions.

BE IT FURTHER RESOLVED that this resolution be effective from and after its  
publication in the official county newspaper.

APPROVED AND ADOPTED in regular session this 27<sup>th</sup> day of September 2022.

BOARD OF COUNTY COMMISSIONERS  
OF RENO COUNTY, KANSAS

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Daniel P. Friesen, Chairman

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Ron Sellers, Member

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Ron Hirst, Member

ATTEST:

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Donna Patton, County Clerk



## AGENDA ITEM

## **AGENDA ITEM #7.A**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Randy Partington, County Administrator

**AGENDA TOPIC:**

Resolution 2022-\_\_\_ establishing user charges for Water District No. 101; Sewer District No. 201; Sewer District No. 202; and Sewer District No. 1 to be effective from and after November 1, 2022.

**SUMMARY & BACKGROUND OF TOPIC:**

Attached is a Resolution increasing the user fees for Water District 101 (Yoder), Sewer District 201 (Yoder), Sewer District 202 (HABIT), and Sewer District 1 (Cedarview Lodge). Each of these districts have a current rate that either barely covers operational costs or has to be subsidized by a property tax assessment. The funds that cover each of these districts have scarce resources and limited reserves. The rate increase is to bring the rates to a level that both covers the operational costs, but also sets each fund up to build a reserve.

Water District 101 has a nitrate problem that is being discussed. Reno County is working with the City of Hutchinson and Schwab Eaton to determine the cost on such a project. Sewer District 101 and 201 both have a needed capital project that is best handled by combining the project into one project, and combining the districts. As staff has been working on the mentioned projects, it became clear all of the funds had limited funds to pay for the studies of such projects and was in need of a rate increase. Following approval and construction of their new projects, the three districts mentioned will see another rate increase.

Attached is the water rate analysis for Water District 101 with Table 18 showing the new rates recommended. Table 17 shows how the new rate will increase revenues to an amount slightly above expenditures with around \$20,000 annually dedicated to a reserve fund. The sewer district forecasts is not finished but the rates recommended have been chosen to cover operating costs with user fees instead of property taxes, as requested by the commission.

**ALL OPTIONS:**

1. Adopt Resolution
2. Send Resolution back to staff for changes
3. Decline adopting a resolution; thereby keeping the current schedule of charges.

**RECOMMENDATION / REQUEST:**

Adopt resolution

**RESOLUTION 2022-\_\_\_\_\_**

**A RESOLUTION ESTABLISHING USER CHARGES FOR: WATER DISTRICT NO. 101; SEWER DISTRICT NO. 201; SEWER DISTRICT NO. 202; AND SEWER DISTRICT NO. 1.**

**WHEREAS**, the Board of County Commissioners of Reno County Kansas, has established various sewer and water districts; and

**WHEREAS**, said Board of County Commissioners acting as the governing body for these water and sewer districts has established by resolutions connection and user charges for these various districts; and

**WHEREAS**, it is the intent of the Board of County Commissioners to combine the assessments for all connection charges and user fees, previously established by separate resolutions, into a single resolution for the sewer and water districts listed in this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, THAT:**

1. The following schedule of charges is established for Reno County Water District No. 101.
  - a. \$34.00 per month flat rate, and \$2.50 for each 1,000 gallons used;
  - b. \$500.00 connection charge to be paid in advance.
2. The following schedule of charges is established for Reno County Sewer District No. 201, Sewer District No. 202, and Sewer District No.1.
  - a. \$30.00 per month for each residential connection;
  - b. \$37.00 per month for each light commercial/institutional connection;
  - c. \$138.00 per month for each heavy commercial/institutional/industrial connection;
  - d. \$500.00 connection charge to be paid in advance.
3. The same schedule of charges shall be assessed to Tax Exempt properties within Reno County Sewer District No. 201, Sewer District No. 202, and Sewer District No.1



4. These rates shall automatically increase each year as of January 1<sup>st</sup> by 2% assessed to both the Water and Sewer District flat rates unless the County Commissioners vote to rescind or modify this resolution.

**BE IT FURTHER RESOLVED**, that this Resolution shall be effective from and after November 1, 2022. Resolutions 2007-13, 87-17, 88-59, 90-19, 92-56, 93-05, 2001-34 pertaining to user charges and connection charges shall no longer be in force and effect after the effective date of this resolution, except as to charges and assessments made previous to said resolutions prior to the effective date of this resolution.

Adopted in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS OF  
RENO COUNTY, KANSAS, ACTING AS THE  
GOVERNING BODY OF WATER DISTRICT  
NO. 101; SEWER DISTRICT'S NOS. 201,  
202, AND 1

\_\_\_\_\_  
Daniel P. Friesen, Chairman

\_\_\_\_\_  
Ron Hirst, Member

\_\_\_\_\_  
Ron Sellers, Member

ATTEST:

\_\_\_\_\_  
Reno County Clerk

**Table 1**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Income Statement Summary  
For Historical Years 2018 through 2021**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Cash receipts				
User fees	\$20,648	\$19,335	\$17,764	\$19,051
Reconnect fees	0	100	150	600
Meter Installation/ hookup fees	1,000	0	0	0
Misc. Reimbursements	117	0	326	2,989
Total cash receipts	<u>\$21,764</u>	<u>\$19,435</u>	<u>\$18,241</u>	<u>\$22,640</u>
Expenditures				
Personal services	\$9,606	\$10,120	\$12,321	\$13,031
Contractual services	7,763	11,264	12,476	10,221
Commodities	4,140	1,867	4,034	3,958
Capital improvements and outlay	5,116	0	0	0
Other expense & reimbursements	0	0	(267)	0
Total expenditures	<u>\$26,625</u>	<u>\$23,252</u>	<u>\$28,565</u>	<u>\$27,210</u>
Receipts over (under) expenditures	(\$4,861)	(\$3,817)	(\$10,324)	(\$4,570)
Unencumbered cash, beginning	\$83,047	\$78,186	\$74,370	\$64,046
Unencumbered cash, ending	\$78,186	\$74,370	\$64,046	\$59,476
<b>Water utility funds only</b>				
<b>Days of operating cash on hand</b>	<b>1,072</b>	<b>1,167</b>	<b>818</b>	<b>798</b>

**Table 2**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Historical Rate Structures  
For Historical Years 2018 through 2021**

		<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Minimum	(1)				
Residential/Light Commercial		\$8.00	\$8.00	\$8.00	\$8.00
Institutional		\$8.00	\$8.00	\$8.00	\$8.00
Step charge(s)					
Residential/Light Commercial	(2)	\$2.00	\$2.00	\$2.00	\$2.00
Institutional	(2)	\$2.00	\$2.00	\$2.00	\$2.00
Account 30130000	(3)	\$0.60	\$0.60	\$0.60	\$0.60

(1) Includes 5,000 gallons of usage.

(2) per 1,000 gallons for all usage above 5,000 gallons.

(3) per 1,000 gallons for all usage above 15,000 gallons.

**Table 3**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Historical Number of Customers  
For Historical Years 2018 through 2021**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Customer group:				
Residential/Light Commercial	97	97	97	97
Institutional	3	3	3	3
Total number of customers	100	100	100	100
<i>Growth rate for:</i>				
<i>Customer group:</i>				
<i>Residential/Light Commercial</i>		0.00%	0.00%	0.00%
<i>Institutional</i>		0.00%	0.00%	0.00%

**Table 4**

**Reno County, Kansas  
Water Rate Analysis  
Annual Water Sales Per Customer Group  
For Historical Years 2018 through 2021**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Customer group:				
Residential/Light Commercial	7,684,260	7,043,427	6,480,213	6,967,037
Institutional	975,620	990,663	925,140	1,030,890
Total gallons sold	8,659,880	8,034,090	7,405,353	7,997,927
Sales to:				
Account 30130000	412,720	466,929	342,760	478,270
<i>Average gallons sold per customer per month:</i>				
<i>Customer group:</i>				
<i>Residential/Light Commercial</i>	6,602	6,051	5,567	5,985
<i>Institutional</i>	23,454	21,822	24,266	23,026
<i>Account 30130000</i>	34,393	38,911	28,563	39,856

**Table 5**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Summary of Total Gallons Purchased and Cost  
For Historical Years 2018 through 2021**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Customer group:				
Account 30010000	9,379,900	8,837,800	8,178,900	8,704,200
Total gallons sold	9,379,900	8,837,800	8,178,900	8,704,200
<i>Average gallons purchased per month:</i>				
<i>Customer group:</i>				
Account 30010000	781,658	736,483	681,575	725,350
Step 1 cost per 1,000 gallons	\$0.08	\$0.08	\$0.08	\$0.08
Step 2 cost per 1,000 gallons	\$0.10	\$0.10	\$0.10	\$0.10
Cost of water purchased				
Account 30010000	\$837.99	\$783.78	\$717.89	\$770.42

**Table 6**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Revenue Comparison  
For Historical Years 2018 through 2021**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Revenue generated from:				
Minimum				
Residential/Light Commercial	\$9,216	\$9,216	\$9,216	\$9,216
Institutional	288	288	288	288
Total charges from minimum(s)	\$9,504	\$9,504	\$9,504	\$9,504
Step charge(s)				
Residential/Light Commercial	\$3,729	\$2,447	\$1,320	\$2,294
Institutional	886	807	925	865
Account 30130000	140	172	98	179
Total charges from minimum(s)	\$4,614	\$3,254	\$2,245	\$3,159
Total revenue calculated	\$14,118	\$12,758	\$11,749	\$12,663
Revenue reported from audit	\$20,648	\$19,335	\$17,764	\$19,051
Difference	(\$6,529)	(\$6,577)	(\$6,015)	(\$6,388)
Percentage Difference	-46.25%	-51.55%	-51.20%	-50.44%

Table 7

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Forecasted Total Number of Customers**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Customer group:									
Residential/Light Commercial	97	97	97	97	97	97	97	97	97
Institutional	3	3	3	3	3	3	3	3	3
Total number of customers	100	100	100	100	100	100	100	100	100
<i>Growth Rates:</i>									
<i>Customer group:</i>									
<b>Residential/Light Commercial</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>
Institutional	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Assumptions used:

Base = 2021 customer information

Growth rate is the minimum of 2021, mean, and the median.

Items in bold are changes based on discussion with County.



**Table 8**  
**Reno County, Kansas**  
**Water District No. 101 (Yoder)**  
**Water Rate Analysis**  
**Forecasted Water Demand**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Customer group:									
Residential/Light Commercial	6,967,037	6,830,226	6,967,037		6,895,212	6,895,212	6,895,212	6,895,212	6,895,212
Institutional	1,030,890	982,231	990,663		828,930	828,930	828,930	828,930	828,930
Account 30130000	478,270	7,812,457	7,997,927		425,170	425,170	425,170	425,170	425,170
Total gallons sold	<u>7,997,927</u>				<u>7,724,142</u>	<u>7,724,142</u>	<u>7,724,142</u>	<u>7,724,142</u>	<u>7,724,142</u>
<i>Average usage per customer per month</i>									
<i>Customer group:</i>									
<i>Residential/Light Commercial</i>	5,985	6,051	6,018	5,985	5,985	5,985	5,985	5,985	5,985
<i>Institutional</i>	23,026	23,142	23,240	23,026	23,026	23,026	23,026	23,026	23,026
<i>Account 30130000</i>	39,856	35,431	36,652	35,431	35,431	35,431	35,431	35,431	35,431

Assumptions used:

Base average water demand per customer is the minimum of 2021, the mean and the median.

**Table 9**  
**Reno County, Kansas**  
**Water District No. 101 (Yoder)**  
**Water Rate Analysis**  
**Forecasted Water Demand**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Customer group:									
Account 30010000	8,704,200	8,573,633	8,704,200		8,704,200	8,704,200	8,704,200	8,704,200	8,704,200
Total gallons sold	8,704,200				8,704,200	8,704,200	8,704,200	8,704,200	8,704,200
<i>Average usage per customer per month</i>									
<i>Customer group:</i>									
Account 30010000	725,350	714,469	725,350	725,350	725,350	725,350	725,350	725,350	725,350
Step 1 cost per 1,000 gallons	\$0.08			\$0.08	\$0.08	\$0.08	\$0.08	\$0.08	\$0.08
Step 2 cost per 1,000 gallons	\$0.10			\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10
Cost of water purchased									
Account 30010000	\$770.42	\$757.36	\$770.42	N/A	\$770.42	\$770.42	\$770.42	\$770.42	\$770.42

Assumptions used:

Base average water demand per customer is the higher of 2021, the mean and the median.

Table 10

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Forecasted Expenses  
Version A - No Proposed Rate Increase**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Expenditures									
Personal services	\$13,031	\$11,270	\$11,221	\$13,031	<b>\$17,995</b>	\$18,535	\$19,091	\$19,664	\$20,254
Contractual services	10,221	10,431	10,743	10,431	<b>17,325</b>	17,845	18,380	18,931	19,499
Commodities	3,958	3,500	3,996	3,996	<b>4,750</b>	4,893	5,039	5,190	5,346
Capital improvements and outlay	0	1,279	0	5,000	<b>0</b>	0	0	0	0
Other expense & reimbursements	0	-67	0	0	<b>0</b>	0	0	0	0
<b>Transfer to replacement reserve</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>1,000</b>	<b>19,923</b>	<b>20,720</b>	<b>21,517</b>	<b>22,314</b>	<b>23,111</b>
New Debt Service	N/A	N/A	N/A	N/A	<b>0</b>	0	0	0	0
Total expenses	\$27,210	\$26,413	\$25,959	\$33,458	<b>\$59,993</b>	\$61,992	\$64,027	\$66,100	\$68,210
<b>Margin requirement</b>				<b>0.00%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total expenses plus additional margin					\$59,993	\$61,992	\$64,027	\$66,100	\$68,210

Assumptions used:

Figures for 2023 were based on proposed budget for 2023

Expenses were estimated to grow at a 3% inflation rate.

Items in bold are changes based on discussion with County.

Table 11

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Forecasted Revenues  
Version A - No Proposed Rate Increase**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Cash receipts									
User fees	\$19,051	\$19,200	\$19,193		\$20,223	\$20,223	\$20,223	\$20,223	\$20,223
Reconnect fees	600	213	125	125	125	125	125	125	125
Meter Installation/Hookup fees	0	250	0	0	0	0	0	0	0
<b>Misc. Reimbursements</b>	<b>2,989</b>	<b>858</b>	<b>222</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total cash receipts	\$22,640	\$20,520	\$19,540	\$125	\$20,348	\$20,348	\$20,348	\$20,348	\$20,348

Assumptions used:

- Base for revenue categories is determined using the minimum between the revenue collected in 2021, average and median.
- Revenue remained flat and was determined using the base figure explained above.
- Revenue for Sales to customers is from Table 13
- Items in bold are changes based on discussion with County.

Table 12

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Pro Forma Analysis  
Version A - No Proposed Rate Increase**

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
<b>Cash receipts</b>					
User fees	\$20,223	\$20,223	\$20,223	\$20,223	\$20,223
Reconnect fees	125	125	125	125	125
Meter Installation/ hookup fees	0	0	0	0	0
Misc. Reimbursements	0	0	0	0	0
<b>Total cash receipts</b>	<b>\$20,348</b>	<b>\$20,348</b>	<b>\$20,348</b>	<b>\$20,348</b>	<b>\$20,348</b>
<b>Expenditures</b>					
Personal services	\$17,995	\$18,535	\$19,091	\$19,664	\$20,254
Contractual services	17,325	17,845	18,380	18,931	19,499
Commodities	4,750	4,893	5,039	5,190	5,346
Capital improvements and outlay	0	0	0	0	0
Other expense & reimbursements	0	0	0	0	0
Transfer to replacement reserve	19,923	20,720	21,517	22,314	23,111
New Debt Service	0	0	0	0	0
<b>Total expenses</b>	<b>\$41,998</b>	<b>\$43,457</b>	<b>\$44,937</b>	<b>\$46,436</b>	<b>\$47,957</b>
Revenue over (under) expenditures	-\$21,650	-\$23,109	-\$24,588	-\$26,088	-\$27,608
<b>Margin</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Revenue over (under) expenditures including additional margin	-\$21,650	-\$23,109	-\$24,588	-\$26,088	-\$27,608

Assumptions used:

Base for revenue categories is determined using the minimum between the revenue collected in 2021, average and median.  
Revenue remained flat and was determined using the base figure explained above.  
Revenue for Sales to customers is from Table 13  
Figures for 2023 were based on proposed budget for 2023  
Expenses were estimated to grow at a 3% inflation rate.  
Items in bold are changes based on discussion with County.

**Table 13**

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Proposed Rate Structures  
Version A - No Proposed Rate Increase**

		<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Minimum	(1)						
Residential/Light Commercial		\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00
Institutional		8.00	8.00	8.00	8.00	8.00	8.00
Step charge(s)							
Residential/Light Commercial	(2)	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
Institutional	(2)	2.00	2.00	2.00	2.00	2.00	2.00
Account 30130000	(3)	2.00	2.00	2.00	2.00	2.00	2.00
Revenue Generated From:							
Minimum							
Residential/Light Commercial		\$9,216	\$9,216	\$9,216	\$9,216	\$9,216	\$9,216
Institutional		288	288	288	288	288	288
Total revenue from monthly minimum		<u>\$9,504</u>	<u>\$9,504</u>	<u>\$9,504</u>	<u>\$9,504</u>	<u>\$9,504</u>	<u>\$9,504</u>
Step charge(s)							
Residential/Light Commercial		\$2,294	\$2,150	\$2,150	\$2,150	\$2,150	\$2,150
Institutional		865	1,298	1,298	1,298	1,298	1,298
Account 30130000		179	490	490	490	490	490
Total revenue from step charges		<u>\$3,338</u>	<u>\$3,939</u>	<u>\$3,939</u>	<u>\$3,939</u>	<u>\$3,939</u>	<u>\$3,939</u>
Total charges for services		\$12,842	\$13,443	\$13,443	\$13,443	\$13,443	\$13,443
Model error		50.44%	\$20,223	\$20,223	\$20,223	\$20,223	\$20,223
Proposed increase			0.00%	0.00%	0.00%	0.00%	0.00%

(1) Includes 5,000 gallons of usage.

(2) per 1,000 gallons for all usage above 5,000 gallons.

(3) per 1,000 gallons for all usage above 15,000 gallons.

Table 14

**Reno County, Kansas**  
**Water District No. 101 (Yoder)**  
**Water Rate Analysis**  
**Estimated User Bills Based on Proposed Increases**  
**Version A - No Proposed Rate Increase**

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
<b>Residential/Light Commercial</b>						
1,000 gallons	\$8.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00
<b>5,000 gallons</b>	<b>\$8.00</b>	<b>\$18.00</b>	<b>\$18.00</b>	<b>\$18.00</b>	<b>\$18.00</b>	<b>\$18.00</b>
10,000 gallons	\$18.00	\$28.00	\$28.00	\$28.00	\$28.00	\$28.00
25,000 gallons	\$48.00	\$58.00	\$58.00	\$58.00	\$58.00	\$58.00
50,000 gallons	\$98.00	\$108.00	\$108.00	\$108.00	\$108.00	\$108.00
100,000 gallons	\$198.00	\$208.00	\$208.00	\$208.00	\$208.00	\$208.00
<b>Institutional</b>						
1,000 gallons	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00
5,000 gallons	\$8.00	\$18.00	\$18.00	\$18.00	\$18.00	\$18.00
10,000 gallons	\$18.00	\$28.00	\$28.00	\$28.00	\$28.00	\$28.00
25,000 gallons	\$48.00	\$58.00	\$58.00	\$58.00	\$58.00	\$58.00
50,000 gallons	\$98.00	\$108.00	\$108.00	\$108.00	\$108.00	\$108.00
100,000 gallons	\$198.00	\$208.00	\$208.00	\$208.00	\$208.00	\$208.00

Table 15

Reno County, Kansas  
 Water District No. 101 (Yoder)  
 Water Rate Analysis  
 Forecasted Expenses

Version B - Proposed Restructuring of Rate Charges

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Expenditures									
Personal services	\$13,031	\$11,270	\$11,221	\$13,031	<b>\$17,995</b>	\$18,535	\$19,091	\$19,664	\$20,254
Contractual services	10,221	10,431	10,743	10,431	<b>17,325</b>	17,845	18,380	18,931	19,499
Commodities	3,958	3,500	3,996	3,996	<b>4,750</b>	4,893	5,039	5,190	5,346
Capital improvements and outlay	0	1,279	0	5,000	<b>0</b>	0	0	0	0
Other expense & reimbursements	0	-67	0	0	<b>0</b>	0	0	0	0
<b>Transfer to replacement reserve</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>1,000</b>	<b>19,923</b>	<b>20,720</b>	<b>21,517</b>	<b>22,314</b>	<b>23,111</b>
New Debt Service	N/A	N/A	N/A	N/A	<b>0</b>	0	0	0	0
Total expenses	\$27,210	\$26,413	\$25,959	\$33,458	<b>\$59,993</b>	\$61,992	\$64,027	\$66,100	\$68,210
<b>Margin requirement</b>				<b>0.00%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total expenses plus additional margin					\$59,993	\$61,992	\$64,027	\$66,100	\$68,210

Assumptions used:

Figures for 2023 were based on proposed budget for 2023

Expenses were estimated to grow at a 3% inflation rate.

Items in bold are changes based on discussion with County.



Table 16

**Reno County, Kansas**  
**Water District No. 101 (Yoder)**  
**Water Rate Analysis**  
**Forecasted Revenues**  
**Version B - Proposed Restructuring of Rate Charges**

	<u>2021</u>	<u>MEAN</u>	<u>MEDIAN</u>	<u>BASE</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Cash receipts									
User fees	\$19,051	\$19,200	\$19,193		\$61,539	\$63,560	\$65,581	\$67,602	\$69,623
Reconnect fees	600	213	125	125	125	125	125	125	125
Meter Installation/Hookup fees	0	250	0	0	0	0	0	0	0
<b>Misc. Reimbursements</b>	<b>2,989</b>	<b>858</b>	<b>222</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total cash receipts	\$22,640	\$20,520	\$19,540	\$125	\$61,664	\$63,685	\$65,706	\$67,727	\$69,748

Assumptions used:

Base for revenue categories is determined using the minimum between the revenue collected in 2021, average and median.

Revenue remained flat and was determined using the base figure explained above.

Revenue for Sales to customers is from Table 18

Items in bold are changes based on discussion with County.

Table 17

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Pro Forma Analysis  
Version B - Proposed Restructuring of Rate Charges**

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
<b>Cash receipts</b>					
User fees	\$61,539	\$63,560	\$65,581	\$67,602	\$69,623
Reconnect fees	125	125	125	125	125
Meter Installation/ hookup fees	0	0	0	0	0
Misc. Reimbursements	0	0	0	0	0
<b>Total cash receipts</b>	<b>\$61,664</b>	<b>\$63,685</b>	<b>\$65,706</b>	<b>\$67,727</b>	<b>\$69,748</b>
<b>Expenditures</b>					
Personal services	\$17,995	\$18,535	\$19,091	\$19,664	\$20,254
Contractual services	17,325	17,845	18,380	18,931	19,499
Commodities	4,750	4,893	5,039	5,190	5,346
Capital improvements and outlay	0	0	0	0	0
Other expense & reimbursements	0	0	0	0	0
Transfer to replacement reserve	19,923	20,720	21,517	22,314	23,111
New Debt Service	0	0	0	0	0
<b>Total expenses</b>	<b>\$59,993</b>	<b>\$61,992</b>	<b>\$64,027</b>	<b>\$66,100</b>	<b>\$68,210</b>
Revenue over (under) expenditures	\$1,671	\$1,693	\$1,679	\$1,627	\$1,538
<b>Margin</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Revenue over (under) expenditures including additional margin	\$1,671	\$1,693	\$1,679	\$1,627	\$1,538

Assumptions used:

Base for revenue categories is determined using the minimum between the revenue collected in 2021, average and median.  
Revenue remained flat and was determined using the base figure explained above.  
Revenue for Sales to customers is from Table 18  
Figures for 2023 were based on proposed budget for 2023  
Expenses were estimated to grow at a 3% inflation rate.  
Items in bold are changes based on discussion with County.

Table 18

**Reno County, Kansas  
Water District No. 101 (Yoder)  
Water Rate Analysis  
Proposed Rate Structures  
Version B - Proposed Restructuring of Rate Charges**

		<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Minimum	(1)						
Residential/Light Commercial		\$8.00	\$34.00	\$35.00	\$36.00	\$37.00	\$38.00
Institutional		8.00	68.00	70.00	72.00	74.00	76.00
Step charge(s)							
Residential/Light Commercial	(2)	\$2.00	\$2.50	\$2.60	\$2.70	\$2.80	\$2.90
Institutional	(2)	2.00	2.50	2.60	2.70	2.80	2.90
Account 30130000	(3)	2.00	2.50	2.60	2.70	2.80	2.90
Revenue Generated From:							
Minimum							
Residential/Light Commercial		\$9,216	\$39,168	\$40,320	\$41,472	\$42,624	\$43,776
Institutional		288	2,448	2,520	2,592	2,664	2,736
Total revenue from monthly minimum		<u>\$9,504</u>	<u>\$41,616</u>	<u>\$42,840</u>	<u>\$44,064</u>	<u>\$45,288</u>	<u>\$46,512</u>
Step charge(s)							
Residential/Light Commercial		\$2,294	\$17,238	\$17,928	\$18,617	\$19,307	\$19,996
Institutional		865	2,072	2,155	2,238	2,321	2,404
Account 30130000		179	613	637	662	686	711
Total revenue from step charges		<u>\$3,338</u>	<u>\$19,923</u>	<u>\$20,720</u>	<u>\$21,517</u>	<u>\$22,314</u>	<u>\$23,111</u>
Total charges for services		\$12,842	\$61,539	\$63,560	\$65,581	\$67,602	\$69,623
Model error		0.00%	\$61,539	\$63,560	\$65,581	\$67,602	\$69,623
Proposed increase to monthly minimum charge	(4)		325.00%	N/A	N/A	N/A	N/A
Proposed increase to monthly minimum charge	(5)		750.00%	N/A	N/A	N/A	N/A
Proposed increase to step charge			25.00%	N/A	N/A	N/A	N/A

(1) Included 5,000 gallons of usage in 2022. Usage included was removed for years 2023 through 2027

(2) per 1,000 gallons for all usage above 5,000 gallons.

(3) per 1,000 gallons for all usage above 15,000 gallons.

(4) Proposed rate increase to residential/light commercial users.

(5) Proposed rate increase to institutional users (except Account 30130000).

Table 19

**Reno County, Kansas**  
**Water District No. 101 (Yoder)**  
**Water Rate Analysis**  
**Estimated User Bills Based on Proposed Increases**  
**Version B - Proposed Restructuring of Rate Charges**

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
<b>Residential/Light Commercial</b>						
1,000 gallons	\$8.00	\$36.50	\$37.60	\$38.70	\$39.80	\$40.90
<b>5,000 gallons</b>	<b>\$8.00</b>	<b>\$46.50</b>	<b>\$48.00</b>	<b>\$49.50</b>	<b>\$51.00</b>	<b>\$52.50</b>
10,000 gallons	\$18.00	\$59.00	\$61.00	\$63.00	\$65.00	\$67.00
25,000 gallons	\$48.00	\$96.50	\$100.00	\$103.50	\$107.00	\$110.50
50,000 gallons	\$98.00	\$159.00	\$165.00	\$171.00	\$177.00	\$183.00
100,000 gallons	\$198.00	\$284.00	\$295.00	\$306.00	\$317.00	\$328.00
<b>Institutional</b>						
1,000 gallons	\$8.00	\$70.50	\$72.60	\$74.70	\$76.80	\$78.90
5,000 gallons	\$8.00	\$80.50	\$83.00	\$85.50	\$88.00	\$90.50
10,000 gallons	\$18.00	\$93.00	\$96.00	\$99.00	\$102.00	\$105.00
25,000 gallons	\$48.00	\$130.50	\$135.00	\$139.50	\$144.00	\$148.50
<b>50,000 gallons</b>	<b>\$98.00</b>	<b>\$193.00</b>	<b>\$200.00</b>	<b>\$207.00</b>	<b>\$214.00</b>	<b>\$221.00</b>
100,000 gallons	\$198.00	\$318.00	\$330.00	\$342.00	\$354.00	\$366.00



## AGENDA ITEM

## **AGENDA ITEM #7.B**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Randy Partington, County Administrator

**AGENDA TOPIC:**

Resolution 2022-\_\_\_ to state the additional intended uses of a portion of the first tranche of Reno County's allotment of local fiscal recovery funds through the American Rescue Plan Act; and for other purposes.

**SUMMARY & BACKGROUND OF TOPIC:**

In 2021 and 2022, Reno County received a total of \$12,042,385 in American Rescue Plan Act funds. The county commission heard from a local ARPA Taskforce and also conducted their own individual research of possible programs to fund. On June 28, 2022, the commissioners took actions to allocate the funds to specific agencies. At the June meeting, the commission discussed having this spreadsheet provided to them in a more formal manner for their approval. Attached is a resolution that formalizes the allocations and refers to an attached list of agencies and dollar amounts.

On June 28th, the commissioners by a roll call vote identified three large allocations. Other allocations on the attached documents were also approved, but in a single motion. The three allocations approved unanimously by roll call are the following.

- United Way/K-Ready for childcare - \$4.5 million
- Interfaith Housing for county-wide housing - \$4 million
- South Central Kansas Economic Development District (SCKEDD) for county-wide housing - \$500k
- Hutchinson Chamber of Commerce for industrial development park - \$1.2 million

**ALL OPTIONS:**

Approve the Resolution

Table the Resolution and ask staff for changes

Deny the Resolution

**RECOMMENDATION / REQUEST:**

Adopt Resolution

**POLICY / FISCAL IMPACT:**

The adoption of this Resolution formalizes the ARPA allocations, allowing staff to work with each agency on the spending of funds.

**RESOLUTION 2022-\_\_\_\_\_**

**A RESOLUTION TO STATE THE ADDITIONAL INTENDED USES OF A PORTION OF THE FIRST TRANCHE OF RENO COUNTY'S ALLOTMENT OF LOCAL FISCAL RECOVERY FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT; AND FOR OTHER PURPOSES.**

**WHEREAS**, on March 11, 2021, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which provides fiscal relief funds to state and Local Governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic; and,

**WHEREAS**, ARPA is intended to provide support to local governments responding to the impact of COVID-19 and in their efforts to contain COVID-19 in the communities, residents, and businesses; and,

**WHEREAS**, ARPA includes State and Local Fiscal Recovery Funds to support urgent COVID response efforts to decrease the spread of the virus; to replace lost public sector revenue to strengthen support for vital public services; to support immediate economic stabilization for households and businesses; and to address systemic public health and economic challenges that have contributed to unequal impacts of the pandemic on certain populations; and,

**WHEREAS**, the United States Department of Treasury has adopted the interim final rule as guidance regarding the use of ARPA Funds; and,

**WHEREAS**, on May 17, 2021, the United States Department of Treasury deposited the Reno County's first tranche of funds, which is Twelve Million, Forty-Two Thousand, Three Hundred and Eighty-Five Dollars (\$12,042,385); and,

**WHEREAS**, that as recipient, Reno County accepts award of Coronavirus Local Fiscal Recovery Funds allocation up to the maximum allowed by the terms and conditions of the ARPA; and,

**WHEREAS**, this resolution is intended as a statement of intent of the Reno County Board of Commissioners to expend the County's ARPA funds in accordance with Federal Law and

Guidance, for the current critical needs and priorities for which there is consensus as set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS:**

**Section 1. *Authorization.*** The County Administrator, County Clerk and any County signatories required to do so, are authorized to apply for, obtain, or otherwise assure authorization of receipt of use of ARPA Funds as set forth in this resolution.

**Section 2. *Intent.*** As set forth more fully below, the Reno County Board of Commissioners expresses its intent to expend these funds for eligible, immediate needs within the categories and for the amounts listed on the attached spreadsheet.

**Section 3. *Reliance by entities.*** The Reno County Board of Commissioners understands that the entities listed in the attached spreadsheet are likely to rely on this allocation in allocating resources and creating future budgets. However, all awards are subject to the program requirements of the American Rescue Plan Act and must comply with said act to be funded.

**Section 4. *Administrative cost and Reno allocation.*** The allocation retained by Reno County for Department needs and Administrative expenses may be subject to adjustment to be approved by the Board of County Commissioners, but this shall not impact the allocation to outside agencies.

**Section 5. *Compliance with the American Rescue Plan Act.***

The County will ensure compliance with prevailing Federal Guidance at the time the funds are committed for expenditure.

**Section 6. *Requisite contracts in the future.*** Nothing in this resolution shall be construed as taking the place of any action otherwise required by the Reno County Board of Commissioners to authorize the County Administrator to enter into requisite contracts associated with expenditures outlined above.

**Section 7. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the resolution.

**Section 8. Repealer.** All laws, resolutions, policies, or parts of the same that are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

**ADOPTED September \_\_, 2022.**

BOARD OF COUNTY COMMISSIONERS OF  
RENO COUNTY, KANSAS

\_\_\_\_\_  
Daniel P. Friesen, Chairman

\_\_\_\_\_  
Ron Sellers, Member

ATTEST:

\_\_\_\_\_  
Ron Hirst, Member

\_\_\_\_\_  
Donna Patton  
Reno County Clerk





## AGENDA ITEM

## **AGENDA ITEM #7.C**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Chairman Daniel Friesen

**AGENDA TOPIC:**

Discussion of K.S.A. 41-2646. Sale of liquor by the drink in public places.

**SUMMARY & BACKGROUND OF TOPIC:**

Last week the county commission and staff learned of a business that had an issue with their liquor license as they, at that time, did not sale enough food to maintain a liquor license. Kansas State Statute 41-2646 allows the board of commissioners to submit a question to the voters, following either the adoption of a resolution or upon receiving a valid petition from citizens. The election would be to either prohibit liquor by the drink, permit liquor to be sold in locations that received at least 30% of their sales from food, or to permit liquor sales with no food requirement.

Reno County's current rules for liquor by the drink requires anyone having a liquor license to derive at least 30% of their gross receipts from the sale of food. For this to change in Reno County, the county commission would have to follow the rules of KSA 41-2646, as mentioned above. KSA 41-2646 is attached. Also attached is a map of Kansas showing what other counties have in place for liquor/food requirements.

**RECOMMENDATION / REQUEST:**

Discussion item with no suggested action.

**41-2646. Sale of liquor by the drink in public places; election to prohibit or permit.** (a) The board of county commissioners may, by resolution, or shall, upon a petition filed in accordance with subsection (b), submit to the qualified electors of the county at any state general election a proposition to:

(1) Prohibit the sale of alcoholic liquor by the individual drink in public places within the county;

(2) permit the sale of alcoholic liquor by the individual drink in public places within the county which derive not less than 30% of their gross receipts from the sale of food for consumption on the premises; or

(3) permit the sale of alcoholic liquor by the individual drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food.

(b) A petition to submit a proposition to the qualified voters of a county pursuant to this section shall be filed with the county election officer. The petition shall be signed by qualified electors of the county equal in number to not less than 10% of the electors of the county who voted for the office of secretary of state at the last preceding general election at which such office was elected. The appropriate version following shall appear on the petition:

"We request an election to determine whether the sale of alcoholic liquor by the individual drink in \_\_\_\_\_ county shall be (prohibited in public places) (allowed in public places where at least 30% of the gross receipts are from sales of food for consumption on the premises) (allowed in public places without a requirement that any portion of their gross receipts be from sales of food)."

(c) Upon the adoption of a resolution or the submission of a valid petition calling for an election pursuant to this section, the county election officer shall cause the appropriate version of the following proposition to be placed on the ballot at the next succeeding state general election which occurs more than 90 days after the resolution is adopted or the petition is filed with the county election officer:

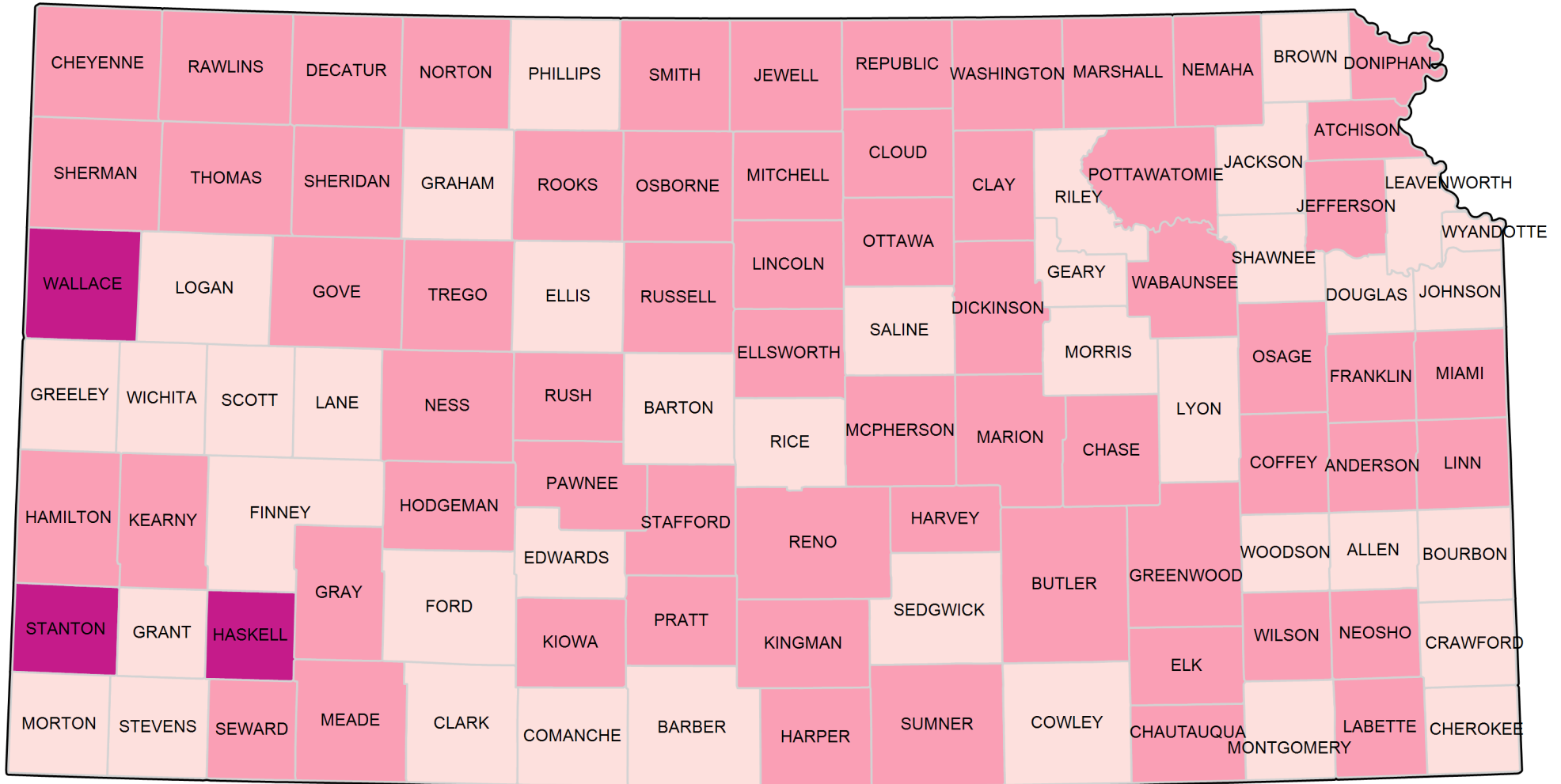
"Shall sale of alcoholic liquor by the individual drink in \_\_\_\_\_ county be (prohibited) (allowed in public places where at least 30% of the gross receipts are from sales of food for consumption on the premises and prohibited in all other public places) (allowed in public places without a requirement that any portion of their gross receipts be from sales of food)?"

(d) If a majority of the votes cast and counted is in favor of the proposition, the county election officer shall transmit a copy of the results to the director, who shall issue or refuse to issue temporary permits and licenses for drinking establishments and caterers within the county accordingly and the rights of licensees holding licenses on the date of the election shall be modified in accordance with the result of the election as provided by rules and regulations of the secretary.

(e) The election provided for by this section shall be conducted, and the votes counted and canvassed, in the manner provided by law for question submitted elections of the county.

**History:** L. 1987, ch. 182, § 92; April 30.

# Kansas Liquor by the Drink Map (Wet and Dry Counties)



The data used for this map was submitted by the Kansas county clerks.

### # of Counties

(63)

(39)

(3)

Total: 105



30% food sales requirement

No food sales requirement

No liquor by the drink



January 6, 2021



## AGENDA ITEM

## **AGENDA ITEM #8.A**

**AGENDA DATE:** September 27, 2022

**PRESENTED BY:** Randy Partington, County Administrator

**AGENDA TOPIC:**  
Monthly Department Reports

**SUMMARY & BACKGROUND OF TOPIC:**

Every month, departments have been asked to provide an update on the previous month's major activities. The reports are intended to keep the county commission informed about the appointed and elected departments. Attached are reports for Human Resources, Information Technology, Maintenance, Public Works, Solid Waste, Treasurer and Youth Services.

**ALL OPTIONS:**

n/a

**RECOMMENDATION / REQUEST:**

Discussion Only

**POLICY / FISCAL IMPACT:**

n/a



**RENO COUNTY**  
206 West First Ave.  
Hutchinson, Kansas 67501-5245  
PHONE: (620) 694-2982  
FAX: (620) 694-2508

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**Board of Commissioners - Department Update**  
**Human Resources – August 2022**  
**Helen Foster – Human Resources Director**

**Employment Activity**

We currently have 21 job openings. For the month of August, we have had five (5) separations and gained twelve (12) new employees. Submitted applications received for open positions stand at 28 applications completed through August 25th. The average daily views for the month of August were 390 and the heaviest day was a total of 1091 views. Applicant activity has been slow this month, but we did gain 3 applicants from the 150<sup>th</sup> celebration with one of the candidates completing the application at the event.

**New Carriers**

Payer Matrix has made contact with all members. The application process has been completed for several and at this time all that have completed are approved for the assistance.

Allied has confirmed that our plans are loaded and ready to receive the eligibility file. This file will be completed by our office once enrollment closes and sent directly to Allied. Allied is on target to have id cards sent out around the 19<sup>th</sup> of September. Allied has already started the implementation with all of our vendors and confirmed this week that all implementation is complete, and the vendors are setup for receiving the eligibility file once Allied has completed the upload into their system.

**Open Enrollment**

The open enrollment portal will be closing on August 26<sup>th</sup>. The process has been smooth and most have reported liking the online enrollment. Utilizing online enrollment is great for Human Resources to be able to track progress and see who has not completed enrollment. Katie has been diligent in sending out reminders for employees to get this completed.

The in-person insurance meetings were a big success. Each session was filled with employees and some dependents. One of the sessions was recorded and sent to all employees so that those not able to attend a session could hear the same message. The feedback on the meetings has all been positive.

**Digitalizing Records**

Cory has completed the active employee files. We will begin the process of digitalizing our active benefit files. We are paperless and have been for the last 4 months. It has proven to be a timesaver for our department since we do not have to file paper or pass paper through the office.

**Unemployment Fraud**

We had another fraudulent claim come through this month bringing our total for this year to 13 fraudulent claims. Of the 13 claims, only one employee has reported that they were not targeted previously in the year 2020 when the fraud began.

**Budget**

Human Resources has used 58% of the department budget as of August 26, 2022.

Aug 26, 2022

Monthly Report Information Services

Michael Mathews

**Staffing changes or issues**

We have no staffing Changes at this time.

**Budget YTD summary**

IT always has a lot of large expenditures at the first of the year as we must pay many of our software support contracts. These contracts come due through the month of April then our expenses tend to go down. We work diligently to remain within our adopted budget. We are currently at 70% of our budget but our spending will decrease quite a lot now.

**Projects/Issues/Challenges/Concerns**

We continue to work on many of the long-term projects such as the timekeeping software. New Projects that we have started to look at are the District Attorney case management software that if approved will begin the middle of September. We also are investigating new records management software for the Register of Deeds. We are just in the software review process for that.

The records management project is still moving along very well. We have completed all of the HR Current employee folders. And completed the Jail JTO Folders. WE are continuing the ROD project and are hoping to be complete with it by the end of November. As part of that we are about 50% complete with the install and configuration of Square-9 and hope to start data conversion by mid-September.

**Issues that we dealt with the past month include.** We had a few challenges this month.



## Maintenance & Purchasing Monthly Report 9/1/2022

**Harlen Depew, Director**

**Staffing:** Maintenance is still taking applications for one FT and one PT Custodial Tech. The employees we have are engaged, productive, and take a lot of pride in their work.

### **Budget YTD summary**

The department has spent 55% of our operating budget at the end of August.

### **Projects/Issues/Challenges/Concerns**

**Courthouse Earthquake Repairs:** A new project manager was assigned to finish out these projects late in July. Work on the dome restoration change order is now two thirds complete and steady progress is being made, both on interior and exterior work.

**Vehicles:** The Maintenance Department took delivery of a brand new Ford Maverick pickup scheduled to be delivered the first week of August. We appreciate all the assistance we received from Kyle and Ron to make this happen, and the great service they provide to keep our vehicles up and running as long as possible. This new vehicle replaced an older, full sized GMC that needed more repairs than we could justify. The engine in our mini van failed earlier this year as well, so we're still down one until we can get budget funds next year. Carpooling is not as efficient for staff, but we try to be as efficient with transportation as possible.

**Other:** Maintenance employees, Troy Kelley and Stormy John have been working on repainting all of the interior walls in the District Attorney's offices on the fifth floor of the courthouse between other obligations, and are nearly finished with that project.

Maintenance employees enjoyed helping with setup and tear down of the tent for the recent 150<sup>th</sup> anniversary celebration on the third Thursday in August. It was great to see so many departments representing our organization!

August 2022 Monthly Report

**Equipment**

Sign Truck is yet to be delivered. The Sign Truck will be delivered in 2023

**Asphalt Crew** is overlaying on Sterling Road. Overlaying will be completed after this road.

**Mowing/Sign** is mowing county road right – of - way.

**Dirt Crew** is cleaning ditches throughout the County.

**Bridge Crew** is building Fairview Rd. Bridge 1.60, 2.4 miles south of Pretty Prairie Road.

**Planning & Zoning** staff is addressing many zoning violations throughout the County.

**Contracted Projects**

Willowbrook Bridge was awarded to King Construction and will probably be built in 2023

69<sup>th</sup> Ave. Bridge should go out to bid in September.

The Scott Blvd. bridge is being constructed.

I'm applying for the KDOT Cost Share Program for a Woody Seat Bridge deck rehab. The City of Hutchinson is going to partner with this application for their C-Ave .bridge repairs and road mill and overlay south to the Woody Seat Bridge. We are working on the application together.

I'm applying for the 2024 Off-System Bridge Program for replacement of Victory Road Bridge 27.01. This bridge is located one mile southeast of Buhler.

I'm applying for the Kansas Local Bridge Improvement Program 2023 for Broadacres Rd. Bridge. I'm applying for this bridge to be built by the County Bridge Crew.

**Challenges**

I'm in the process of negotiating the possibility of the City of Hutchinson taking the Sewer from District 201 Yoder and Sewer District 202 Habit

The water rates are about to be determined for Yoder Water District 101. Working on construction cost to connect to the City of Hutchinson.

Short two full time positions within Public Works.

Prices of materials and fuel have made it challenging to stay within the budgets.



Need to consider starting the process of transitioning the ownership and maintenance of Water and Sewer Districts to the city of The Highlands.



Reno County Solid Waste  
703 S. Mohawk  
Hutchinson, KS 67501  
(620) 694-2586  
Fax (620) 694-669-8126

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Solid Waste Monthly Update August 2022  
Prepared by Megan Davidson, Director

**Staffing:** We currently have a General Laborer Position and an Equipment Operator II Position open at the landfill.

**Projects/Issues/Challenges/Concerns:** We have been busy catching up on projects onsite getting ready for Cell 8 construction. Scrapers have been busy on the gun range down the road excavating dirt for the berms.

Landfill staff has been busy laying down asphalt millings going up to the clean concrete pile so the road has easy access on rainy days. We have finished most of the big mowing for the season, now it is just maintaining the site from the weeds etc. We are slowing down on the amount of compost that we receive from residents and commercial businesses as well.

Concrete Crushing will begin the end of the month of August and should only take a few weeks to complete.

**Budget:** We have received 1 of the new trucks we ordered earlier in the year. The other truck is still in production and there is no delivery date available yet. The scraper that is in the shop for a Certified Powertrain Rebuild is about a month out of being completed. Construction and Demolition fees came in relatively strong for the month of June and July on the revenue side. For the month of June we deposited over \$20,000 from Construction Demo Fees.



RENO COUNTY TREASURER  
125 West First Ave.  
Hutchinson, Kansas 67501-5245  
620-694-2938  
Fax: 620-694-2776

TDD: Kansas Relay Center 1-800-766-3777

August 19, 2022

## **MONTHLY REPORT**

### **STAFFING CHANGES OR ISSUES:**

We have successfully hired two new employees and a possible third did not call back. We will be going ahead and filling that position hopefully yet this month or early next month.

### **BUDGET YTD SUMMARY:**

As of this day, we are running around 60% of our budget in the largest expenses we have (payroll). We are a little over halfway through the year and our overall expenses are still at 44%. We do have some areas that have not reached the time frame in which items will be charged against that fund. Delinquent taxes will be printed in the paper (insert) this month and it has run around \$1600.00 up to \$3000.00. Last year, I got the bid down and we also managed to reduce the size of the insert by four pages. Tax statements/receipts will not hit us until close to the end of the year. I would like to say our 44% Y-T-D figure is due to being savvy, but I know too many larger expenses are yet to come.

### **PROJECTS/ISSUES/CHALLENGES/CONCERNS:**

My department's major projects for the month of August include reviewing and collecting properties that are possible tax sale properties. We are also fielding a fair number of budget figures and audit verifications for towns and school districts. There is the usual processing titles, renewals and refunds of motor vehicle tags. We are also still working accounts that are targeted for the tax sale and continue to renew commercial accounts.

We have hired several new employees and hope to be full force in the next couple weeks. It takes at least 2-3 months before training is far enough to handle the front line.



## RENO COUNTY YOUTH SERVICES

219 West Second Ave.  
Hutchinson, Kansas 67501  
(620) 694-2500  
Fax: (620) 694-2504

JUVENILE DETENTION CENTER  
JUVENILE INTAKE & ASSESSMENT  
BOB JOHNSON YOUTH SHELTER

TDD: Kansas Relay Center 1-800-766-3777

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## Youth Services Monthly Report

August 2022

### Staffing changes or issues (if any)

This month we have seen an increase in applications and are in the process of interviews. Our full time male only position continues to have limited interest. We're currently seeking to fill the stand-by Youth Care Specialist/Juvenile Detention Officers, a 40-hour male Youth Care Specialists, an on-call Juvenile Intake and Assessment Officer and a 20-hour Youth Care Specialist. All positions, except standby and on-call positions, offers insurance benefits and KPERS. Those interested in the open positions can apply online at [Renogov.org](http://Renogov.org).

The employee of the month for August is Eduardo Venegas. Eduardo joined Reno County on 1/31/2022 and is our Maintenance Technician for Youth Services. From day one, Eduardo took great pride and ownership of our building. He arrives to work ready to complete his cleaning routine while taking the initiative to repair and replace concerns along the way. He is positive and kind. Because of his meticulous ways, our facility, both inside and outside look amazing. Congratulations Eduardo for being selected the Employee of the Month.

### Budget YTD Summary

As of 8/26/2022, we have spent 49% of our Shelter budget (Dept.90). The expenses are routine and are mostly due to salaries. The total shelter budget is \$1,151,760. We have spent 58% of our detention budget (Dept.91). Detention expenditures consists of mostly salaries. The total detention budget is \$1,036,265.

### Projects/Issues/Challenges/Concerns

Our dishwasher was finally repaired this week after waiting 3 months for parts and repair services to arrive. It's amazing just how much you miss something when you no longer have it available.

We are in the beginning process of changing out all our florescent lights in the shelter living areas to LED lights. This will save energy by removing the ballast and allow us to dim the lights for early morning and late evening hours. Additional cost savings will be in the extended life of the LED bulb. We would like to move throughout the building with this process.

We had both state and city fire inspections this month. Minor infractions were sited with corrections completed that same day. We were also informed that we are now required to complete an annual and a semiannual fire alarm inspection. This requirement is now set up for future years.