
AGENDA

**Reno County Courthouse Veterans Room
206 W. 1st Avenue
Wednesday, September 13, 2023, 9:00 AM**

- 1. Call to Order**
- 2. Pledge of Allegiance to the American Flag and Prayer**
- 3. Welcome and Announcements by Commission Chair**
- 4. Public Hearing**
 - 4A Public Hearing for the vacation of a portion of West 95th Avenue.
 1. Open the hearing.
 2. Discussion
 3. Close the hearing.
- 5. 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.
- 6. Determine Additions or Revisions to the Agenda**
- 7. Consent Agenda**
 - 7A Vouchers (bills or payments owed by the county or related taxing units)
 - 7B Planning Case #2023-07 - A request by Jack Redman to vacate a 40-foot-wide easement for future road and utilities. The 40-foot-wide easement is located on Lot 6, Block 1, of Rolling Dunes Subdivision. The address of the property is 803 E. Rolling Dunes Road.
 - 7C Approve and Adopt Road Vacation Resolution
 - 7D Declare SO's 2012 Chevrolet Impala VIN 2G1WF5E3XC1211653 as surplus to be traded and authorize County Administrator Randy Partington to sign necessary title work.
- 8. Business Items**
 - 8A District Attorney - Annual Commission Update
 - 8B Planning Department Regulation Process

9. Special Districts 2024 Budget

- 9A Special Districts Revenue Neutral Rate Hearing for the purpose of answering objections of taxpayers relating to the Revenue Neutral Rate.
 - 1. Open the Hearing
 - 2. Discussion
 - 3. Close the Hearing
- 9B Resolution 2023-_____ to levy a property tax rate exceeding the revenue neutral rate for the Special Districts 2024 Budget.
- 9C 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 2024 Budget.
 - 1. Open the Hearing
 - 2. Discussion
 - 3. Close the Hearing
- 9D Adopt the 2024 Special Districts Budget:
 - [Budget as Proposed](#)
 - [Budget as Proposed but Amended](#)
 - [Budget with No Utility Levies \(Option2\)](#)

10. County Administrator Report

- 10A Monthly Department Reports

11. County Commission Report/Comments

12. Executive Session

- 12A Executive Session for personnel matters of non-elected personnel for 15 minutes

13. Adjournment

RENO COUNTY
ROAD VACATION / OPENING APPLICATION

AGENDA
ITEM #4.A

Please call Public Works to schedule an appointment to review this application and process prior to completion. Phone: 620-694-2976.

Applicant / Property Owner Information:

Individual Partnership Corporation Trust Limited Liability Co. (LLC)

Name / Title: Harrison Family Trust

Phone No _____ Cell No. 620-921-5145

Mailing Address: 11014 W 95 Nickerson 67561

Email Address: harrison 5845 @ gmail.com

Additional Property Owners: Yes – If yes, please list additional owners on back of this page. No

We the undersigned hereby apply for vacation of a certain road or easement for the reason that:
After HWY 96 expansion will leave 95th as a dead end road.
Harrison Trust owns land on both sides. No body needs the road

Required Supporting Documents:

The following documents must be submitted with this application in order for the application and proposed vacation petition to be processed:

- \$500.00 Non-Refundable Application Fee. Please make check payable to Reno County Public Works. *waived*
- Legal description by licensed surveyor of the proposed vacation request.
- Document proving applicant is an adjacent property owner; i.e., copy of property tax statement, deed, district court order or other such document.
- Property owners list with mailing addresses of the adjacent property owners. This list may be obtained from the Reno County Appraiser's Department or a title company. Property owner list printed off the internet, handwritten, or from a source not identified above will not be accepted.

Utility Verifications:

- Are there utilities currently located in the right-of-way? Yes No
- Identify all underground utilities; i.e., copy of a Dig Safe location ticket showing the existence or non-existence of underground utilities. AT&T
- Identify all overhead utilities by providing pictures showing existing or non-existing overhead utilities.
- ? For retention of all None utilities currently located in the proposed vacated right-of-way provide a copy of an executed utility easement.
- No If utilities exist and are to be relocated provide certification of relocation and/or agreement allowing for removal after right-of-way is vacated.



We the undersigned do hereby authorize the submittal of this application and associated documents and do hereby certify that all the information contained therein is true and correct.

Applicant / Owner Signature / Title: John M. Harrison President Date: 6-23-23

Additional Owner Signature: _____ Date: _____

Additional Owner Signature: _____ Date: _____

=====

Additional Property Owners If Applicable:

Name: None

Phone No: _____ Cell No. _____

Mailing Address: _____

Email Address: _____

Name: _____

Phone No: _____ Cell No. _____

Mailing Address: _____

Email Address: _____

OFFICE USE ONLY

- Date Application & Fee Received: _____ Fee Received: \$ _____
- All supporting documents received and accepted as accurate.
- Publications to Hutchinson News Announcing Proposed Vacation and Giving a Viewing Date and Time.
 - Date of 1st Publication (Tuesday) : _____
 - Date of 2nd Publication (Tuesday) : _____
- Viewing Date and Time: _____
- Public Hearing Date and Time: _____
- Prepare Resolutions - These are prepared by the Public Works Department under the guidance of the County Counselor using the re-write resolution form located in L:admin\Road Petition Forms. Leave all dates and times blank to be filled in by the County Clerk's Office.
- First Resolution: has legal and 1) finds the petition valid; 2) appoints the viewers (BOCC); and 3) sets viewing and public hearing dates.
- Second Resolution: has legal and 1) states date the first resolution was approved; 2) states date the road notice for the viewing was published and held; and 3) sets the effective date of the resolution.



WEST 95th AVENUE ROAD VACATION DESCRIPTION

That portion of West 95th Avenue lying between Sections 2 and 11, Township 22 South, Range 7 West of the 6th Principal Meridian, Reno County, Kansas and lying between the East right-of-way line of Riverton Road and the West right-of-way line of Kansas Highway 96.

Dated: January 21, 2016

Lloyd P. Dorzweiler, LS # 835

S:\Documents\Descriptions\2015\150204D.doc





Kansas One Call

Ticket No: 23342625
Original Call Date: 06/25/23 11:41 am
Work to Begin Date: 06/29/23 12:01 am

Op: DESIGN
Op: wicheske
Op: wicheske

Caller Information

Company Name: HARRISON FAMILY TRUST
Contact Name: MIKE HARRISON
Alt. Contact: SAME
Caller Address: 11014 W 95TH AVE NICKERSON, KS 67561
Contact Email: harrison5845@gmail.com
Fax Phone:
Phone: 620-921-5145
Alt. Phone:

DIG SITE INFORMATION

Type of Work: SURVEY FOR POSSIBLE ROAD CLOSER
Explosives: N **Duration:** 1 DAY **Trenchless Excav:** N
Work Being Done For: MIKE HARRISON

DIG SITE LOCATION

County: RENO **Place:** NICKERSON
Address:
Street: W 95TH AVE
Intersecting Street: N RIVERTON RD
Location of Work: FROM THE INTERSECTION OF N RIVERTON RD AND W 95TH AVE MARK BOTH ROAD RIGHT OF WAYS ON W 95TH AVE GOING E FOR 1/2 MILE.
Remarks: CALLER STATES STAKES AND PINS WILL NOT BE USED. CALLER WOULD LIKE AN EMAIL COPY OF THE STATUS OF EACH UTILITY.
Map Twp: 22S **Rng:** 7W **Sect-Qtr:** 11-NW-NE,10-NE,3-SE,2-SW-SE
Map Coord NW Lat: 38.1598350
Lon: -98.0691627
SE Lat: 38.1587335
Lon: -98.0596417

MEMBERS NOTIFIED

District	Company Name	Business Hrs	Web	Status
ATT301	ATT DISTRIBUTION	800-778-9140		Clear/No conflict



EASEMENT

The undersigned, **HARRISON FARMS, LTD**, a Kansas corporation, hereinafter referred to as grantor, hereby grants to **AT&T**, hereinafter referred to as grantee, an easement for ingress and egress by grantee over and across the following described real property in Reno County, Kansas:

That portion of vacated West 95th Avenue lying between Sections Two (2) and Eleven (11), Township Twenty-two (22) South, Range Seven (7) West of 6th P.M.

for the purposes of ingress and egress to maintain the existing telephone line located in said property.

Dated: March 29, 2016.

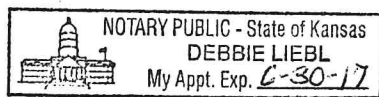
HARRISON FARMS, LTC

By John M Harrison Pres.
John M. Harrison, President

STATE OF KANSAS, RENO COUNTY, ss.

On March 29, 2016, the foregoing instrument was acknowledged before me by John M. Harrison as president of Harrison Farms, LTD, a Kansas corporation, for and on behalf of said corporation.

Debbie Liebl
_____, Notary Public



My appt. exp.:



AGENDA ITEM

AGENDA ITEM #7.B

AGENDA DATE: September 13, 2023

PRESENTED BY: Mark Vonachen - County Planner II

AGENDA TOPIC:

Planning Case #2023-07 - A request by Jack Redman to vacate a 40-foot-wide easement for future road and utilities. The 40-foot-wide easement is located on Lot 6, Block 1, of Rolling Dunes Subdivision. The address of the property is 803 E. Rolling Dunes Road.

SUMMARY & BACKGROUND OF TOPIC:

The applicant requests to vacate the above-described easement for the purpose of eliminating the possibility of the easement being used to construct a future public road. Rolling Dunes Subdivision is located between 1/4 and 1/2 mile east of the intersection of N. Plum Street and E. 82nd Avenue.

The easement proposed for vacation is highlighted in green on the survey. An existing electrical power pole located at the intersection of E. Rolling Dunes Road and N. Severance Street is not part of the request.

Chapter 58-2613 to Chapter 58-2615 of the Kansas State Statutes governs the process an applicant shall follow to vacate an easement. For the County Commissioners to order an easement to be vacated the governing body must find that:

1. Proper notice was provided to the public.
2. The public will suffer no loss or inconvenience by such vacation.
3. No private rights will be injured or endangered.

Notice of the public hearing was published in the *Hutchinson News* more than 20 days in advance of the scheduled public hearing. A public hearing notice was provided to the four property owners adjacent to the easement.

On August 17, 2023, the Planning Commission conducted a public hearing on this request. After the conclusion of the public hearing, the Planning Commission recommended to the County Commissioners the 40-foot-wide easement be vacated based on the criteria listed in the statutes. The Planning Commission voted 6-0 in favor of the vacation with one member abstaining due to arriving late and not hearing all of the testimony.

ALL OPTIONS:

The County Commissioners may:

1. Approve of the request to vacate the 40-foot-wide road and utility easement as recommended by the Planning Commission.
2. Deny the request to vacate the 40-foot-wide road and utility easement.
3. Modify the request to vacate only a portion of the 40-foot-wide road and utility easement.
4. Return the request back to the Planning Commission with specific questions to be answered.
5. Table the request for further review.

RECOMMENDATION / REQUEST:

Consideration of the Planning Commission recommendation to vacate the 40-foot-wide road and utility easement.

POLICY / FISCAL IMPACT:

None



Public Works
600 Scott Boulevard
South Hutchinson, Kansas 67505
620-694-2976
Don Brittain, Director

Date: August 25, 2023

To: Reno County Board of County Commissioners

From: Mark Vonachen – County Planner II

Subject: Case #2023-07 – Jack & Karie Redman Legal Description: A portion of a “40’ easement for Future Road and Utilities” located on Lot 6, Block 1 of Rolling Dunes Subdivision.

Who: Jack & Karie Redman
803 Rolling Dunes Road, Hutchinson, KS 67502

What: This is a request to vacate a 40-foot easement for future road and utilities located on the above identified lot in Rolling Dunes Subdivision. The parcel is zoned R-1 – Rural Residential District.

Why: The applicant requests to vacate a portion of the 40-foot-wide road and utility easement for the purpose of preventing construction of a future public road.

This report and recommendation were prepared prior to the public hearing.

BACKGROUND

The applicant requests to vacate the above described 40-foot-wide easement for future road and utilities for the purpose of eliminating the possibility of the easement being used to construct a future public road. This subdivision plat was recorded in the Register of Deeds on August 13, 1964.

Rolling Dunes Subdivision is located between $\frac{1}{4}$ and $\frac{1}{2}$ mile east of the intersection of N. Plum Street and E. 82nd Avenue. E. 82nd Avenue is an open road until the road intersects with N. Severance Street. The other half-mile of E. 82nd Avenue is identified as a minimum maintenance road.

The easement proposed for vacation is highlighted in green on the site plan. There are no utilities in this easement area proposed for vacation. The site plan does show one electrical power pole at the intersection of Rolling Dunes Road and N. Severance Street. However, this power pole is in a portion of the easement that is not being considered for vacation. That triangle parcel is owned by the adjacent property owner to the east and is being used as road frontage, so the parcel can comply with the minimum requirement to obtain a zoning permit and construct a house. Since this area is not proposed for vacation, the rights of the utility company to maintain their infrastructure is still protected.

Chapter 58-2613 to Chapter 58-2615 of the Kansas State Statutes governs the process an applicant shall follow to formally vacate an item on a recorded plat.

The Planning Commission is asked to make a recommendation to the County Commissioners on three items:

- Proper notice was provided to the public.
- The public will suffer no loss or inconvenience by such vacation.
- No private rights will be injured or endangered.

The public hearing notification requirements are different than the requirements for a rezone or conditional use permit public hearing. A public hearing still must be held but the usual 1,000' notification of surrounding properties is not required. The legal notice is published in the *Hutchinson News* but only properties which have direct access or are adjacent to the utility easement are sent a written notice of the public hearing. Anyone from the public is still invited to come to the public hearing and provide testimony as to why the easement should or should not be vacated.

ANALYSIS

Notices of the public hearing were mailed to four surrounding property owners on July 13, 2023. Mr. Redman signed the petition to vacate the road and utility easement as the owner of the property where the entire easement is located. The property owner directly to the east also signed the petition. Signing of the petition by this property owner is not required because the easement is not on their property. However, it can be presumed that signing of the petition signifies this property owner has no concern about vacating the easement.

Notice of the public hearing was sent to Brent & Laura Engelland. Their northern property line abuts the south end of the 40-foot road and utility easement. They are not required to sign the petition. As of the date of this report, staff has not been contacted by Mr. and Mrs. Engelland.

Notice of public hearing was sent to Jon & Deanna Fehrenbacher. The northwest corner of their property is the southeast corner of the road and utility easement. Mr. & Mrs. Fehrenbacher have very little access to this easement, but staff wants to ensure all property owners who are potentially affected by this request are notified. As of the date of this report staff has not been contacted by Mr. and Mrs. Fehrenbacher.

Notice of the public hearing was published in the Hutchinson News on July 16, 2023. This notice complies with the 20-day notification requirement.

Staff concludes proper notice was provided to the public in accordance with statutory requirements.

This easement does not comply with the minimum road right-of-way width of 70 feet. It is not good planning practice to plat one-half of a road right of way width because there is no guarantee the other half of the road right of way will ever be platted to comply with the minimum requirements. Platting only one-half a road right-of-way causes unnecessary land on citizen's private property to be unusable because of the easement being reserved for a utility and/or road that

may never be utilized or constructed. Buildings cannot be constructed legally in a platted easement. This easement does not connect to any other public road or utility easement south of Mr. Redman's property.

After reviewing the location, designated uses of the easement, and the lack of responses from property owners, staff concludes if the road and utility easement is vacated the public will suffer no loss or inconvenience by such vacation.

Ark Valley Electric Co-op, Kansas Gas Service, AT&T, Cox Communications, and Ideatek were sent a notice of this proposed vacation. Kansas Gas Service is the only utility company to respond to the notice. Kansas Gas Service indicates they have no concern regarding vacating the easement. Medora Township was also sent a notice. No response was received from the township.

A Kansas 811 One Call Ticket was called in for this property. The results of the ticket showed no utilities are located within the proposed vacated easement.

The one utility pole located in the easement and near the intersection of E. Rolling Dunes Road and N. Severance Street is not being vacated so Ark Valley Electric Co-op will still retain the right to maintain that electric pole.

Based on the results of this ticket, the lack of objection from the utility companies, and the lack of objection from property owners, staff concludes no private rights will be injured or endangered and the public utilities rights will be protected.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** this request to vacate the 40-foot-wide Easement for Future Road & Utilities located on Lot 6, Block 1 of Rolling Dunes Subdivision as identified by the legal description contained in the case file and shown on the site plan according to the duly recorded plat thereof finding that:

- Proper notice was provided to the public.
- Public will suffer no loss or inconvenience by the vacation.
- No private rights will be injured or endangered.

Staff sent letters to four adjacent property owners. The applicant, the property owner to the east, and the two property owners at the south end of the easement. No one responded with any written comments in favor or against the petition. No comments were received from the public based on the public hearing notice published in the newspaper.

The County Commissioners may make a motion to:

1. Approve the vacation request as submitted.
2. Deny the vacation request as submitted.
3. Amend the vacation request.
4. Return to staff the vacation request for further information.
5. Table the vacation request for further study.

On August 17, 2023, Planning Commission conducted a public hearing on this petition.

Jack Redman, 803 Rolling Dunes Road, Hutchinson, KS 67502 stated he is trying to remove this easement for two reasons. The first reason is he doesn't want to lose any more land if a road does go through his backyard. He has approximately 12 acres. The second reason is he doesn't want any more neighbors around him. He moved out to the country, to not have neighbors. Anybody that is interested in keeping this easement is just for financial reasons for themselves. Mr. Redman has no financial interest in the easement. He just wants the easement vacated so he doesn't have to deal with it anymore. He does not believe the easement needs to be there.

Commissioner Seltzer asked if this easement is for a roadway, utilities, or everything?

Vonachen said the easement is for both purposes. It is 40-foot wide and was approved when the subdivision was platted.

Commissioner Selter questioned if staff has any photos that show the easement in relation to other parcels.

Vonachen said yes. He will show slides of the area that help identify where the easement is located.

Commissioner Shafer questioned if Mr. Redman has any intention of constructing a building or doing anything else within the easement.

Mr. Redman responded by saying no. It is just land to separate him from everyone else. There are numerous trees and shrubs in this area of his backyard.

Commissioner Macklin commented that it appears the easement goes north towards 82nd Avenue and does the applicant own any land to the north.

Vonachen corrected Commission Macklin and said Mr. Redman does not own any land north of Rolling Dunes Road.

Commissioner Shafer added that, he believes that part of Severance Street is open.

Vonachen confirmed that part of Severance Street is an open road.

Vonachen presented the staff report and showed slides to the Planning Commission.

Chairman Goertzen questioned if the easement continues to the south or ends at Mr. Redman's property.

Vonachen responded the easement ends at Mr. Redman's property.

Commissioner Strand questioned the names of the other "roads" in the area.

Vonachen explained the other "roads" Commissioner Strand is referring to on the slide are not public roads. They are private driveways or trails on private property.

Commissioner Seltzer asked for confirmation that if this easement is vacated no other properties will be landlocked without access to a public road.

Vonachen said yes.

During the staff presentation it was explained that at one time, one-half of Severance Street was platted south of Mr. Redman's property. However, when Cedar Hills Subdivision was replatted in 2008, Severance Street, along with another public road, were vacated. Therefore, Severance Street is no longer a platted public road right of way south of Mr. Redman's property.

Vonachen addressed Mr. Fehrenbacher's email and sketch drawing. The sketch drawing is not accurate, and he believes the drawing made some assumptions. Severance Street was not platted at the time the drawing was completed in 2014. Other easements are not in place either. It was noted the drawing is not a boundary survey but a sketch drawing of the power line easement on Mr. Fehrenbacher's property.

Commissioner Strand commended Mr. Redman for selling a portion of his property so the 20-acre parcel to the east could be considered a buildable parcel for someone to construct a single-family dwelling.

Commissioner Shafer asked if every property in the area, except for the 20-acre parcel to the east, has a single-family dwelling.

Vonachen said yes.

Regarding Mr. Fehrenbacher's email objecting to the vacation request, Vonachen stated the first paragraph of the email is not a land use issue and cannot be addressed by this Commission or staff.

The second paragraph does have land use concerns. If Mr. Fehrenbacher wants to sell 20-acres of his property, that would not be permitted for the purpose of constructing a single-family dwelling without rezoning and platting. Current zoning regulations require a 40-acre minimum or a three-to seven-acre agricultural lot split. Selling 20-acres to an adjacent parcel for additional farmland is permitted without the need to have public road frontage. More importantly, Mr. Fehrenbacher would have to purchase land from the other surrounding property owners so a 70-foot-wide public road could be platted and eventually constructed to serve the individual lot or a multi-lot residential subdivision development. Mr. Fehrenbacher does have access off N. Lorraine Street.

There are no other easements in that area so having a 40-foot road and utility easement on Mr. Redman's property does not serve a purpose.

Commissioner Macklin said over the past 60 years there has been a lot of activity around this piece of property. It appears that vacating the easement is just a completion of everything else that has been done in the past.

Vonachen explained to the Planning Commission, that from 69th Avenue to 82nd Avenue Severance Street is only platted in Yucca Dunes Subdivision south of the half-mile line of the section. The road may not even be constructed as he has not been out to this area in a long time. It is unlikely Severance Street will ever connect 69th Avenue with 82nd Avenue.

After the staff report, Chairman Goertzen noted for the record that nobody was in the audience to address the Planning Commission. Only the applicant was present.

Neither the applicant nor staff had any rebuttal statements.

Chairman Goertzen closed the public hearing.

Chairman Goertzen appreciated the comments received for this case and how staff communicated those comments to the Planning Commission members.

Commissioner Shafer appreciated the background information on the replat south of Rolling Dunes Subdivision. He drove out there to look and it doesn't appear there is anyone currently using the easement as a road or there is any intent to use it as a road. Knowing that Severance Street is not platted south of the easement anymore helps him understand the intent of where this part of the county is going with regards to development.

The Planning Commission had no further comments or concerns regarding the petition.

Motion by Commissioner Macklin to approve Case Number 2023-07, the request by Jack Redman requesting the 40-foot easement for Future Road and Utilities located on Lot 6, Block 1 of Rolling Dunes Subdivision be vacated as described in this petition finding that proper notice was given, the public will suffer no loss, and no private rights will be injured or endangered and based on the reasons listed in the staff report; seconded by Commissioner Seltzer. The motion passed by the following 6-0 vote (Yes: Schwertfeger, Strand, Shafer, Seltzer, Macklin, and Goertzen).

Vice-Chairman Martin abstained from the vote due to arriving late to the public hearing and not hearing all the public hearing testimony.

ATTACHMENTS

Application

Comments

Reduced copy of the plat

Survey



BEFORE THE RENO COUNTY PLANNING COMMISSION

IN THE MATTER OF THE VACATION OF

GENERALLY LOCATED AT

)
)
)
)
)
)

CASE NO. 2023-07

VACATION PETITION

COMES NOW your petitioner(s), Jack Redman, and pray(s) for the vacation of the following described 40' Platted Road and Utility Easement as shown in the attached survey, to wit:

1. That the petitioner(s) is/are owner(s) of real property adjacent to and abutting the herein described 40' Platted Road and Utility Easement.
2. That no private rights will be injured or endangered by the vacation of 40' Platted Road and Utility Easement, described herein, and that the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s) hereof, the prayer(s) of the petitioner(s) for the vacation of 40' Platted Road and Utility Easement should be granted.





VACATION ORDER

NOW on this 17th day of August, 2023, at 4:30 o'clock P.M.,

comes the petition filed by Jack Redman, praying for the vacation of the 40' Platted Road and Utility Easement on the following described property, to-wit: Lot 6, Block 1, Rolling Dunes Subdivision

See attached Survey

excepting the following legal description.

Commencing at the Northeast corner of the South Half of the Northeast Quarter of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian; thence with a bearing South 00°27'10" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Northwest Quarter 27.56 feet to the Northeast corner of Lot 6, Block 1 for the point of beginning; thence continuing South 00°27'10" East along the East line of said Lot 6 a distance of 40.00 feet; thence North 41°52'36" West 60.46 feet to the North line of Lot 6; thence South 82°51'31" East 40.35 feet to the point of beginning.

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, such publication having occurred on July 16, 2023; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613, and amendments thereto.

THEREAFTER, the Board, being duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Reno County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted, subject to the following conditions:





The Board further finds that the Reno County Planning Commission held a public hearing on the 17th day of August, 2023, and recommended that the vacation petition herein be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, that the _____ hereinabove described be and the same is hereby vacated.

DATED this _____ day of _____, 20____.

**BOARD OF COUNTY COMMISSIONERS
OF RENO COUNTY, KANSAS**

Chair

ATTEST:

County Clerk




STREET RIGHT-OF-WAY VACATION DESCRIPTION

A portion of Lot 6, Block 1, Rolling Dunes, a sub-division of the North Half of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian in Reno County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on June 5, 2023 as follows:

Commencing at the Northeast corner of the South Half of the Northeast Quarter of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian; thence with a bearing South 00°27'10" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Northwest Quarter 27.56 feet to the Northeast corner of Lot 6, Block 1, Rolling Dunes; thence continuing South 00°27'10" East along the East line of said Lot 6 a distance of 40.00 feet for the point of beginning; thence continuing South 00°27'10" East along the East line of said Lot 6 a distance of 595.27 feet to the Southeast corner of said Lot 6; thence South 89°03'20" West along the South line of said Lot 6 a distance of 40.00 feet; thence North 00°27'10" West parallel with the East line of said Lot 6 a distance of 640.91 feet to the North line of said Lot 6; thence South 41°52'36" East 60.46 feet to the point of beginning.

Dated: ~~June 5, 2023~~ ^{June 7, 2023}

Project No. ~~CG 2024-152~~


Daniel E. Garber, PS #683
6.07.2023

RECEIVED
JUL 10 2023
RENO COUNTY
PUBLIC WORKS DEPT



Excavation Site Clear



06/07/2023, 05:33 AM

To: TRACY
Email: tracy.peterson@oneok.com

Below lists utilities that were stasured by USIC as Excavation Site Clear.

Please note there may be other Utilities which include private facilities that may be present in the work area and are NOT the responsibility of USIC to locate or mark.

Follow all Federal, State, and Local Laws.

<u>Ticket Number</u>	<u>Address</u>
23300487	803 ROLLING DUNES

<u>Utility</u>	<u>Locate Date/Time</u>	<u>Ticket Status</u>
AT&T	06/07/2023, 05:30 AM	Excavation Site Clear

You are receiving this notification because your contact information is listed on the above ticket from the One Call System. If you have any questions regarding this notification, please contact USIC at 1-800-762-0592 or reply to this email TicketNotification@usicllc.com.



Comments
Jack Redman
Case #2023-07

RENO COUNTY DEPARTMENTS

Darcy Basye – Environmental Health Supervisor

See included comments.

OTHER AGENCIES

Kam Smith, Kansas Gas Service

Mark, KGS is ok with doing away with the easement.

COMMENT RECEIVED AFTER PACKETS WERE MAILED

PROPERTY OWNERS

Jon Fehrenbacher, 7501 N. Lorraine Street

Good afternoon, Mark, I appreciate your returning my call this morning and discussing the vacating of the easement at 803 E Rolling Dunes Rd. I adamantly object to the vacating of the easement. Mark, there are two ways of conducting business, the right way, and the wrong way. The right way is to use due diligence, know what you are buying and do the proper research before buying. At one time, my wife Deanna and I owned the 40 acres that is East and adjacent to the Jack & Karie Redman's property at 803 E Rolling Dunes Rd, Hutchinson, Ks 67502. We sold the North 20 acres to Todd and Amy Allen and the South 20 Acres to David and Michelle Canter. The Canter's sold their 20 acres later; I am not sure of the exact date. The young man who purchased the 20 acres from the Canters then sold the 20 acres to Tracy Peterson. Tracy purchased the 20 acres at a great price because the seller knew that a house could not be built on the acreage, so the land couldn't be used for anything but agriculture. After owning it for a year or so, Tracy thought he would sell the acreage because he wanted to buy some land near Inman. He called me to see if I wanted to buy the land. He stated that he would sell the land for a discounted price to myself, Danny Benewiat or Scott Biel. The reason being, we all owned land that was adjacent to his 20 acres and that the land had limited use. I advised him that he was asking to much for the land because of the limited use, there is a 100-foot Evergy easement that runs through the property, and he had overgrazed it, making the land useless for several years.

So now here we are. After the land has sold, everyone is wanting to make changes to the property they have purchased or already owned. Again, "doing business the right way", use due diligence, know what you are buying and due the proper research before buying. As for the Redman's, the easement they are trying to have vacated has a direct impact on the 40 acres we own that is Southeast of their property. As you noted during our phone conversation, that easement was issued in 1965 (58 years ago), and it leads

right up to our property. To be honest with you, I thought there was a 40-foot easement on both sides of the property line as illustrated on the survey that Westar Energy had done in 2014, see attachment. When Deanna and I sold the North 40 acres (Peterson property) we took into consideration that we would have accessibility to the South 40 acres via the easement if we ever needed it. Vacating the easement now, could limit the use of our South 40 acres and could directly affect us financially. If we would have known that this would be a possibility, we most certainly would have considered paying more for the Peterson property to guarantee access to our South 40 acres via Rolling Dunes. The Redman's purchased a property that has a 40-foot easement running along their East property line. How long have they owed the property? Why hadn't they attempted to vacate the easement previously? Why wait until after the adjoining 20 acres had been sold. Everything about this is wrong.

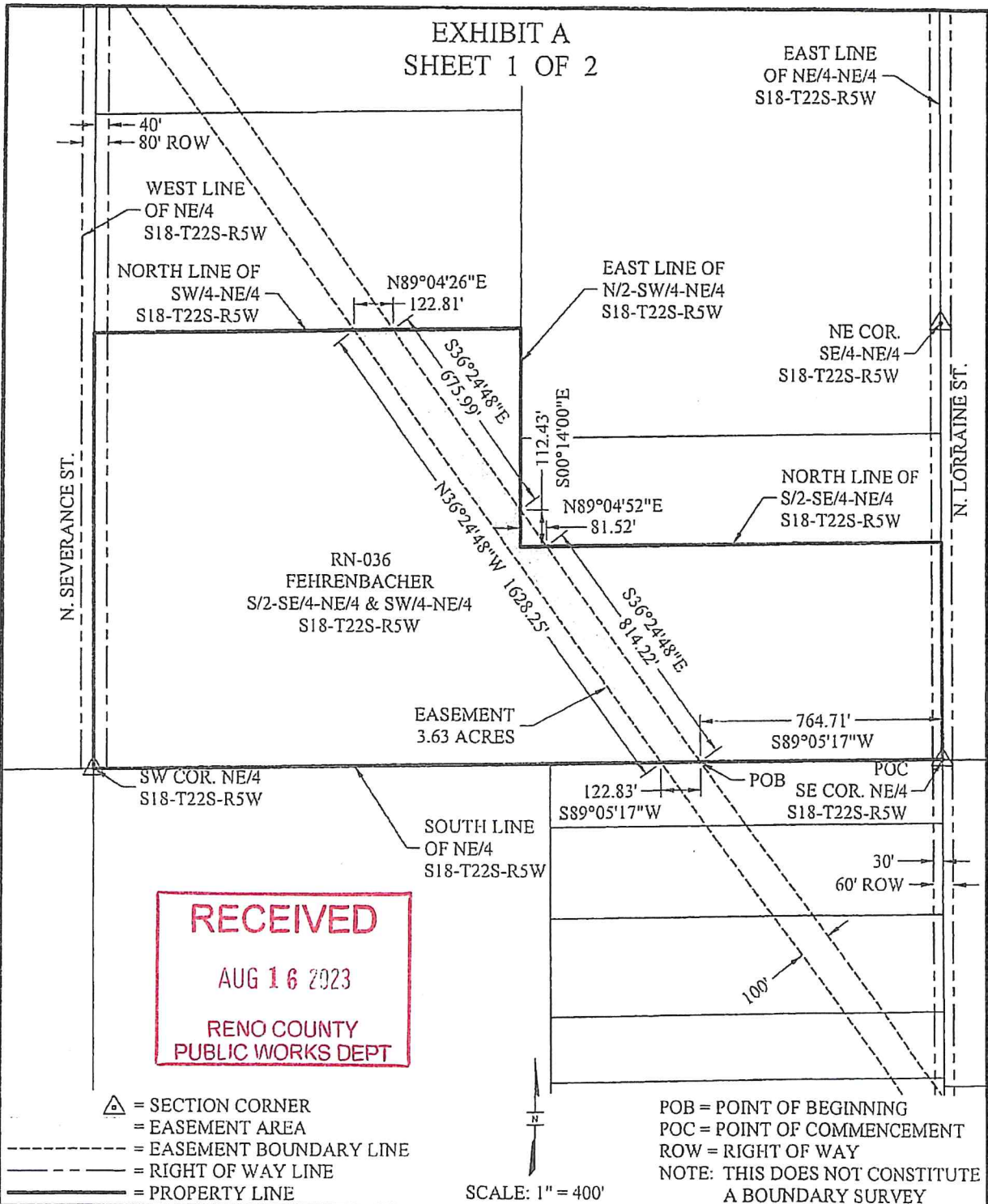
The easement has a direct impact on us and could directly limit our options in the future. Vacating the easement after 58 years would simply be wrong, now more so than ever since the 20 acres adjoining our property to Rolling Dunes has been sold.

I am asking the Reno County Planning Commission to adamantly deny the Redman's request to vacate the easement for future road and utilities located along the east property line of Lot 6, Block 1 of Rolling Dunes Subdivision.

Sincerely,

Jon Fehrenbacher

EXHIBIT A
SHEET 1 OF 2



WILSON & COMPANY

1700 E. IRON AVENUE
SALINA, KANSAS 67401
(785)-327-0433
(785)-327-3949 FAX

HEC TO HUNTSVILLE

Westar Energy

COUNTY

OWNER

TRACT NO.

PROJECT NO. 14-072

RENO

FEHRENBACHER

RN-036

DATE: 11/4/14

RENO COUNTY HEALTH DEPARTMENT

209 West 2nd, Hutchinson, KS 67501-5232 phone 620-694-2900 fax 620-694-2901

ENVIRONMENTAL ASSESSMENT – WELL WATER



Property Address: 803 E Rolling Dunes City/State/Zip: Hutchinson, KS 67502 PID#: 0241800003001000

Owner: Redman, Jack D III & Karie A Phone/Email: _____

Special Instructions: _____

Initial Inspection Follow-up Inspection Visit Number: _____ Trip Charge Applied Office Review Only

Re-inspection Required Date: _____

Existing System? Y N

Zoning Permit/Case #: 2023-07

Domestic Drinking Water Well	Domestic Irrigation/Livestock Well
Code Violations: <u>n/a office review only</u>	Code Violations: <u>n/a office review only</u>
Corrective Actions: _____	Corrective Actions: _____
Est. distance well to: Septic tank _____ Lateral field _____	Est. distance well to: Septic tank _____ Lateral field _____
Other: _____	Other: _____
Location: _____	Location: _____
Well Cap: Sanitary seal: <input type="checkbox"/> Yes <input type="checkbox"/> No Vented: <input type="checkbox"/> Yes <input type="checkbox"/> No	Well Cap: Sanitary seal: <input type="checkbox"/> Yes <input type="checkbox"/> No Vented: <input type="checkbox"/> Yes <input type="checkbox"/> No
Well Casing: ≥12" above grade: <input type="checkbox"/> Yes <input type="checkbox"/> No Intact: <input type="checkbox"/> Yes <input type="checkbox"/> No	Well Casing: ≥12" above grade: <input type="checkbox"/> Yes <input type="checkbox"/> No Intact: <input type="checkbox"/> Yes <input type="checkbox"/> No
Conduit Adequate: <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	Conduit Adequate: <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No
Pump Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Top Mount	Pump Type: <input type="checkbox"/> Submersible <input type="checkbox"/> Top Mount
	Backflow Prevention: <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No
	Method: _____
*Water well casing alterations may only be completed by the property owner or a water well contractor.	*Water well casing alterations may only be completed by the property owner or a water well contractor.
<input type="checkbox"/> Construction in compliance with Code	<div style="border: 2px solid red; padding: 10px; width: fit-content; margin: auto;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.1em; margin: 5px 0 0 0;">JUL 12 2023</p> <p style="font-size: 0.9em; margin: 5px 0 0 0;">RENO COUNTY PUBLIC WORKS DEPT</p> </div>
<input type="checkbox"/> Construction not in compliance with Code	

Setbacks: none identified via office review

Setbacks in compliance with code Setbacks not in compliance with code

Comments: Based on well and wastewater final 10-2-2017 and survey, the proposed request to vacate a portion of the road and utility easement will not interfere with the current well. If a new well is needed in the future, please contact the Environmental Health Section to start the permit process.

More information can be found at: <https://www.renogo.org/659/Water-Wells>

Handouts Given: see website

No inspection was made of below grade components. No representative of the Health Dept. is qualified to test or analyze water samples. The above stated water sample results were obtained from an independent laboratory. Reno County offers no opinion concerning the suitability of the water sampled for domestic consumption, except as to the test results provided on the date sampled. A more comprehensive test may demonstrate the presence of other undesirable elements. *Water well casing alterations may only be completed by the property owner or a water well contractor.

The owner-applicant, with or without professional assistance, is solely responsible in determining what systems to use in meeting Reno County Code requirements. County staff may answer questions regarding code compliance and give examples or suggestions only.

Signature _____

7-12-2023

Environmental Health Specialist

Date

F/Masters/EH/EnvironmentalAssessmentWaterWell 08/17

RENO CO HEALTH DEPT

209 West 2nd, Hutchinson, KS 67501-5232 phone 620-694-2900 fax 620-694-2901

ENVIRONMENTAL ASSESSMENT - WASTEWATER



Property Address: 803 E Rolling Dunes City/State/Zip: Hutchinson, KS 67502 PID#: 0241800003001000
 Owner: Redman, Jack D III & Karie A Phone/Email: _____
 Special Instructions: _____
 Initial Inspection Follow-up Inspection Visit Number _____ Trip charge applied Office Review Only
 Re-inspection Required Date: _____ Zoning Permit/Case #: 2023-07

Existing System? Y N System Type*: septic tank / lift station / laterals
 Installation date: 10-2-2017 Location: ~20' East of house
 Code Violations observed: n/a office review only
 Corrective Actions: n/a office review only

RECEIVED

JUL 12 2023

RENO COUNTY
PUBLIC WORKS DEPT

System is not currently in use. No evidence of sanitation code violations relating to the operation/functioning of the wastewater system. However, sanitation code violations may become apparent upon occupancy of house and use of system.
 *Enhanced Treatment Systems are required to be inspected annually from the date of installation. A copy of the inspection report and documentation of any repairs indicated on the inspection is to be filed with the Health Department within 60 days of the anniversary date listed below.
 The next inspection for this property is due on: _____

Setback Issues: none identified via office review

Reserve area is required as a potential location to replace existing lateral field in the event of failure

Reserve Area Identified: Y N _____
 Where: _____
 Any Limitations: Parcel is wooded which can make wastewater replacement challenging. A site evaluation and soil profile would reveal other site limitations.

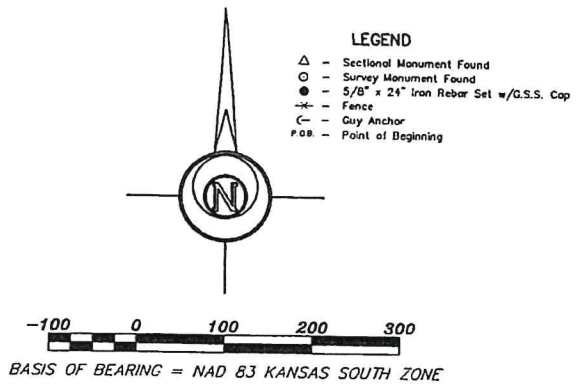
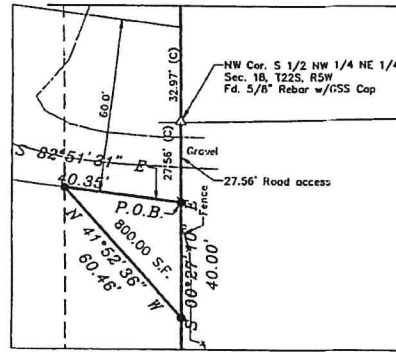
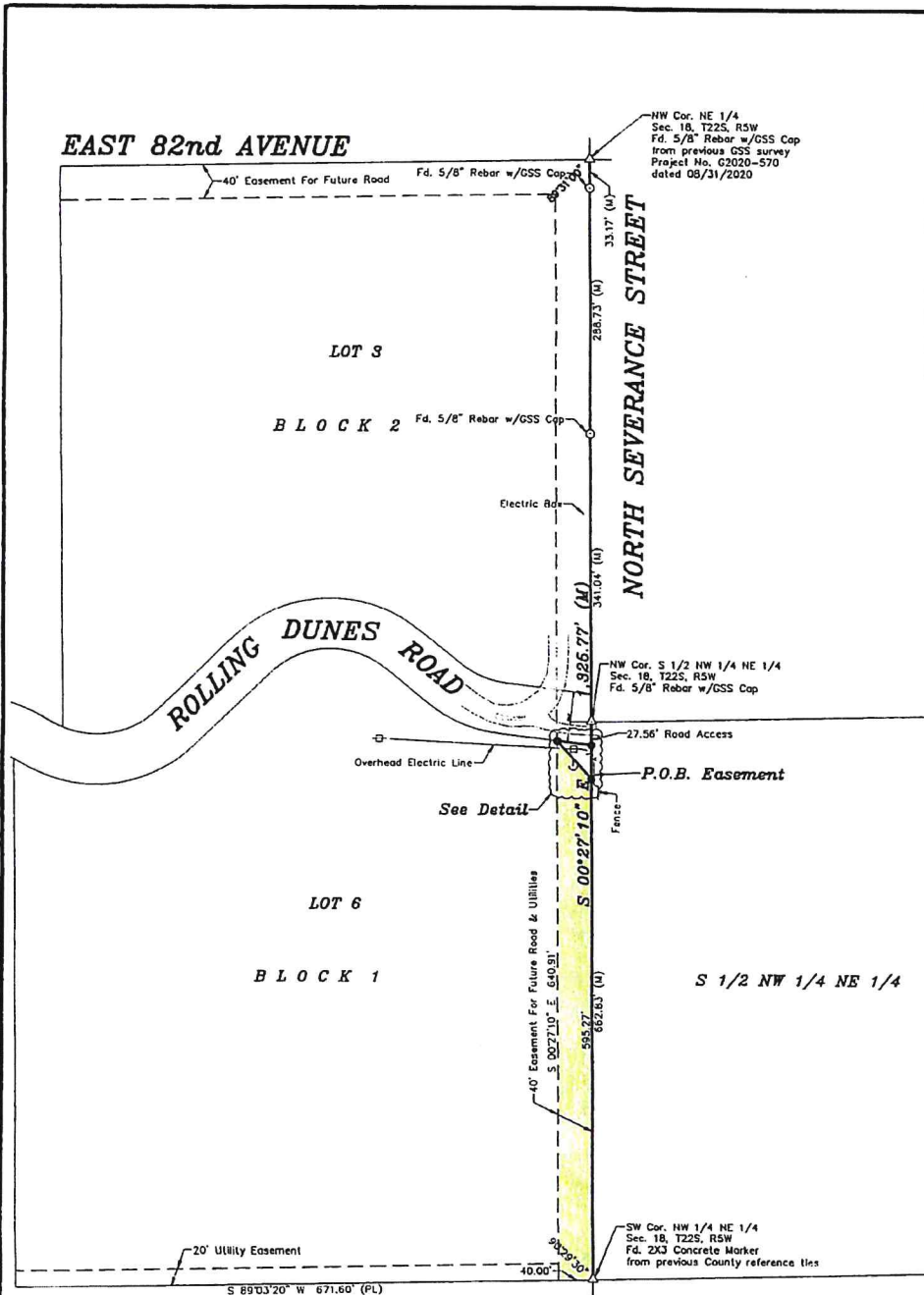
Comments: Based on well and wastewater final 10-2-2017, and survey, the proposed request to vacate a portion of the road and utility easement will not interfere with the current wastewater system. If a new wastewater system is needed in the future, please contact the Environmental Health Section to start the permit process. More information can be found at: <https://www.renogov.org/724/Wastewater-Information>

Profile Pit Y N N/A Scheduled Appointment: _____
 Handouts Given: see website

Field Inspections are limited to an observation of the ground for evidence of surfacing sewage and other obvious visual indicators of system failure and violations of the Reno County Sanitation Code. This inspector cannot verify the condition, age, life expectancy, or functionality of the system. In the event any party desires further assurances with respect to this wastewater treatment system's present condition or future serviceability, a licensed wastewater installer should be consulted.

Signature: _____ *Amber...* 7-12-2023
 Environmental Health Specialist Date

The owner-applicant, with or without professional assistance, is solely responsible in determining what systems to use in meeting Reno County Code requirements. County staff may answer questions regarding code compliance and give examples or suggestions only.



DESCRIPTION:
 Survey of the West line of the South Half of the Northwest Quarter of the Northeast Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian, Reno County, Kansas.

PARCEL 1: (For Conveyance)
 A portion of Lot 6, Block 1, Rolling Dunes, a sub-division of the North Half of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian in Reno County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on May 24, 2023 as follows:

Commencing at the Northeast corner of the South Half of the Northeast Quarter of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian; thence with a bearing South 00°27'10" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Northwest Quarter 27.56 feet to the Northeast corner of Lot 6, Block 1 for the point of beginning, thence continuing South 00°27'10" East along the East line of said Lot 6 a distance of 40.00 feet; thence North 41°52'36" West 60.46 feet to the North line of Lot 6; thence South 82°51'31" East 40.35 feet to the point of beginning.

REMAINDER TRACT DESCRIPTION:
 A portion of Lot 6, Block 1, Rolling Dunes, a sub-division of the North Half of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian in Reno County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on May 24, 2023 as follows:

Lot 6, Block 1, Rolling Dunes, a sub-division of the North Half of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian EXCEPT a tract described as commencing at the Northeast corner of the South Half of the Northeast Quarter of the Northwest Quarter of Section 18, Township 22 South, Range 5 West of the 6th Principal Meridian; thence with a bearing South 00°27'10" East (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Northwest Quarter 27.56 feet to the Northeast corner of Lot 6, Block 1 for the point of beginning; thence continuing South 00°27'10" East along the East line of said Lot 6 a distance of 40.00 feet; thence North 41°52'36" West 60.46 feet to the North line of Lot 6; thence South 82°51'31" East 40.35 feet to the point of beginning.

RENO COUNTY PLANNING AND ZONING DEPARTMENT CERTIFICATION:
 I, Mark Vonachen, Zoning Administrator of Reno County, Kansas, do hereby certify under the authority granted me by the Subdivision Regulations of Reno County, Kansas, that the Boundary Adjustment to which my signature below is given has been approved as being in conformance with the provisions of the Reno County Subdivision Regulations. Given under my hand this ___ day of ___, 20__.

Mark Vonachen, Zoning Administrator

SURVEYOR'S CERTIFICATE:
 I hereby certify this plat to be a true, correct and complete representation of the property described hereon, as surveyed under my supervision, this 7th day of June, 2023.



Prepared For: TRACY PETERSON	Description: A PORTION OF THE NE 1/4 SECTION 18, T22S, R5W RENO COUNTY, KANSAS
Prepared By: Garber Surveying Service, P.A.	
GSS HUTCHINSON 2908 North Plow St. 67502 Ph. 438-445-7031 (Main Office) BRANCH OFFICES: MCPHERSON Ph. 678-241-4441 SALINA Ph. 785-484-6302 MANHATTAN Ph. 785-320-4810 NEWTON Ph. 316-283-5853 WICHITA Ph. 316-260-9933	
Drawn By: KLL	Scale: 1"=100'
Checked By: DEG	Date: 03/17/2023
Date of Field Work: March 8, 2023	Job No: G2023-152
Revised: 06/07/2023	
Sheet 1 of 1 Sheet(s)	

ROLLING DUNES

A SUB-DIVISION OF THE NW 1/4 OF THE NW 1/4 SEC. 18-T. 22S-R. 5W AND A PART OF THE SW 1/4 SEC. 7-T. 22S-R. 5W, 6TH P.M., RENO COUNTY, KANSAS

SCALE: 1"=400'
ALL CURVE DISTANCES
ARE SHOWN AS CHORD DISTANCES

1. The undersigned, a duly qualified surveyor, do hereby certify that we are the owners of the above described real estate, and that we have plotted and laid out the lots and blocks for the purpose of sale. The roads, alleys and lanes are hereby dedicated to and for the use of the public, and easements of the width shown on this plat are hereby granted for the construction, reconstruction, maintenance and repair of sewer and public utilities.

The plat shows the exact size and location of the blocks, lots and streets in said subdivision each block and lot being numbered and each street being named as shown hereon, and after this declaration is filed for record in the office of the Register of Deeds of Reno County, Kansas, lots in said subdivision may be conveyed by lot and block numbers as shown hereon.

It is provided that the above described real estate shown on this plat is held and shall be conveyed subject to the reservations, restrictions and covenants hereon set forth.

WITNESSED and signed this 13th day of August, 1964.

The State of Kansas, the West 200 feet of the Southeast 1/4 Section 18-T. 22S-R. 5W, Reno County, Kansas.

John K. Wagner Esther E. Weiler
John K. Wagner Esther E. Weiler, His Wife

beginning at the northeast corner of Section 18-T. 22S-R. 5W, 6th P.M., Reno County, Kansas, thence east along section line a distance of 500 feet to the north 1/4 corner of said section, thence north a distance of 400 feet to the west line of said section, thence west a distance of 500 feet to the west 1/4 corner of said section, thence north along section line a distance of 400 feet to place of beginning.

John K. Wagner Esther E. Weiler
John K. Wagner Esther E. Weiler, His Wife

WITNESSED and signed this 13th day of August, 1964, before me, a Notary Public in and for the County and State aforesaid, and I have read the contents of the foregoing instrument and the parties thereto, who are personally known to me to be the same persons and executed the same in full knowledge of the contents of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal this 13th day of August, 1964.

By commissioner James B. Baker James B. Baker
James B. Baker, County, Notary Public.

The north 1/4 of the northwest 1/4 of Section 18-T. 22S-R. 5W, 6th P.M., Reno County, Kansas, except for the west 200 feet of the north 400 feet thereof.

SEC Development, Inc. Richard S. Parker Secretary
by Richard S. Parker President of the SEC Development, Inc.
State of Kansas, Reno County, KS.

IN WITNESS WHEREOF, that on this 13th day of August, A.D. 1964 before me, the undersigned, a duly qualified surveyor, do hereby certify that we are the owners of the above described real estate, and that we have plotted and laid out the lots and blocks for the purpose of sale. The roads, alleys and lanes are hereby dedicated to and for the use of the public, and easements of the width shown on this plat are hereby granted for the construction, reconstruction, maintenance and repair of sewer and public utilities.

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State of Kansas, Reno County, KS.

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John K. Wagner Esther E. Weiler, His Wife

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By commissioner James B. Baker James B. Baker
James B. Baker, County, Notary Public.

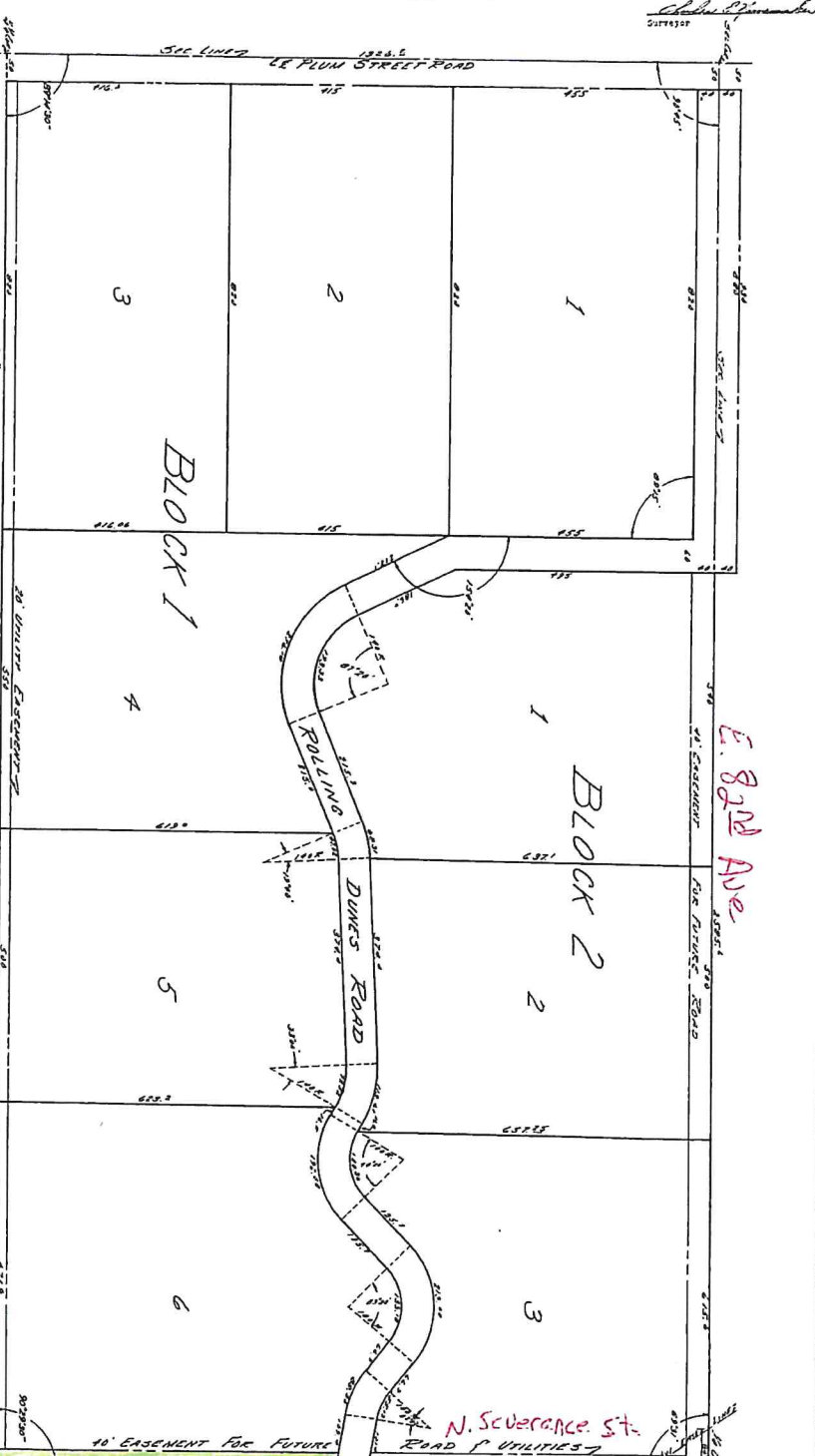
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by Richard S. Parker President of the SEC Development, Inc.
State of Kansas, Reno County, KS.

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It is provided that the above described real estate shown on this plat is held and shall be conveyed subject to the reservations, restrictions and covenants hereon set forth.



RECORDING NOTICE
This instrument recorded and indexed in the records of Reno County Register of Deeds this 13th day of August, 1964.
P. 310 R
10:00 AM
Richard S. Parker
Register of Deeds,
Reno County, Kansas.

I HEREBY CERTIFY that this is a true and correct copy of the original plat as recorded in the office of the Register of Deeds at Hutchinson, Reno County, Kansas.

Register of Deeds
Richard S. Parker
County Clerk



AGENDA ITEM

AGENDA ITEM #7.C

AGENDA DATE: September 13, 2023

PRESENTED BY: Don Brittian, Director of Public Works

AGENDA TOPIC:
Approve and Adopt Road Vacation Resolution

SUMMARY & BACKGROUND OF TOPIC:

KDOT's K14 re-alignment project created a portion on the new K14 to be run through 95th Avenue between Riverton Road and Herron Road. This created a portion of 95th Avenue from Riverton Road to dead end at the new K14 right of way property line. It has been petitioned by the land-owner that owns the property on both sides of this portion of 95th Avenue to vacate the road right of way.

ALL OPTIONS:

Approve and sign.
Return to Staff for revision

RECOMMENDATION / REQUEST:

Approve and authorize the chair to sign as recommended by the Public Works Director.

POLICY / FISCAL IMPACT:

None

RESOLUTION 2023-_____

**A RESOLUTION VACATING A PORTION OF West 95th AVENUE in Section 2 and Section 11,
Township 22 South, Range 7 West of the 6th P.M.,
RENO COUNTY, KANSAS**

WHEREAS, on the 27th day of June, 2023, a Road Petition was filed in the office of the Public Works Department, Hutchinson, Kansas, requesting the vacation of a certain portion of 95th Avenue to which he owns adjacent land, said portion being legally described as follows:

A 66.00 feet wide portion of West 95th Avenue, running between Sections 2 and 11, Township 22 South, Range 7 West of the 6th Principal Meridian, Reno County, Kansas and lying between the East right-of-way of Riverton Road and the West right-of-way line of Kansas Highway K14/K96.

WHEREAS, on the 26th day of July, 2023 the Board of County Commissioners appointed Randy Parks, Randy Partington, and Don Brittain as viewers; and

WHEREAS, on the 31st day of July, 2023, and on the 7th day of August, 2023, a notice was published in the Hutchinson News advising that a road viewing and public hearing would be held; and

WHEREAS, on the 5th day of September, 2023, the Board of County Commissioners of Reno County, Kansas, acting as road viewers, did meet at the described road at 8:30 a.m. to view said road, and on the 13th day of September, 2023 at 9 a.m., in the County Commission Chambers, at the Reno County Courthouse, conducted a public hearing on said road petition as required by K.S.A. 68-104; and

WHEREAS, the Board of County Commissioners finds that no person will be damaged by said proposed road vacation.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Reno County, Kansas, that the said road shall be and is hereby vacated as requested effective the 13th day of September, 2023.

ADOPTED, in regular session this 13th day of September, 2023.

BOARD OF COUNTY COMMISSIONERS
OF RENO COUNTY, KANSAS

Daniel Friesen, Chairman

Randy Parks, Vice-Chairman

Ron Hirst, Member

John Whitesel, Member

Don Bogner, Member

ATTEST:

Reno County Clerk

TO THE RENO COUNTY REGISTER OF DEEDS:

The undersigned hereby certifies that the Board of County Commissioners of Reno County, Kansas, duly adopted the above and foregoing order and Resolution on the 13th day of September, 2023.

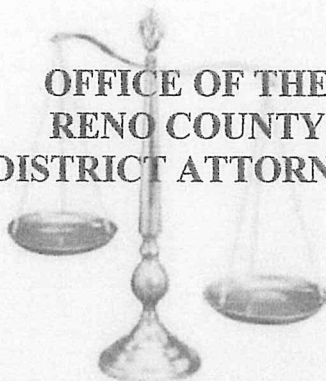
Reno County Clerk

DISTRICT ATTORNEY
Thomas R. Stanton

DEPUTY DISTRICT ATTORNEY
Andrew R. Davidson

SENIOR ASSISTANT DISTRICT
ATTORNEY
Kimberly Rodebaugh

ASSISTANT DISTRICT ATTORNEYS
Brian Koch
Jamie Karasek
Sierra Logan
S. Kyle Byfield



OFFICE OF THE
RENO COUNTY
DISTRICT ATTORNEY

The 27th Judicial District of Kansas
206 West First Avenue, 5th Floor
Hutchinson, KS 67501-5204

**AGENDA
ITEM #8.A**

Telephone: (620) 694-2715
Fax: (620) 694-2711

Victim-Witness Service
Jody Bryant
(620) 694-2773

Investigator
Daniel Nowlan
Telephone: (620) 694-2765
Fax: (620) 694-2762

Annual Commission Update

Background:

I came to work in Reno County January 8, 2001, as Deputy District Attorney under Keith Schroeder. Mr. Schroeder announced his retirement from the position of District Attorney in December of 2019. I was appointed to the Office of District Attorney for Reno County in January of 2020, and I took office on June 1, 2020. I was elected to the office in November of 2020 and was sworn in for a four-year term on January 11, 2021.

The Reno County District Attorney's Office is responsible for legal services to the citizens of the County in several areas of the law. The Office prosecutes all felony crimes or violations of County resolutions committed in the County, as well as misdemeanor criminal offenses and traffic offenses investigated by the Reno County Sheriff's Office, the Kansas Highway Patrol, and the Kansas Bureau of Investigation. The Office does not prosecute violations of misdemeanors or traffic offenses subject to municipal jurisdiction and/or covered by municipal ordinances. The Office prosecutes all juvenile offender cases, cases involving children in need of care, and care and treatment cases submitted to the Office. The Office files and prosecutes forfeiture cases referred to us by law enforcement agencies, and the prosecutions of forfeiture cases are kept separate from the prosecution of any underlying criminal cases. While the Office does not represent individual citizens, it is the duty of the Reno County District Attorney's Office to zealously represent the interests of the people of Reno County in every case in which we are involved. Those duties include seeking justice in every case and ensuring the constitutional rights of all citizens are scrupulously protected.

Prosecutors in the office are involved in various prosecution related roles within the State of Kansas including the Continuing Legal Education and Legislative Committees of the Kansas County and District Attorneys Association (KCDA), the Kansas Alliance Drug Endangered Children (KADEC), the Kansas Prosecutors Foundation, the Reno County Stepping Up Coalition, the Reno County Sexual Assault Multidisciplinary Team, the Reno County SANE/SART Team, the Reno County Bar Association, and the Reno County Community

Corrections Advisory Board. Members of the support staff represent the Office on the Reno County Benefits Committee and the Reno County Wellness Committee.

Staff:

The Reno District Attorney's Office employs a staff of 21 people at full staff. This number includes seven prosecutors, one investigator/coroner's assistant, two part-time assistant coroners, one office manager, one victim/witness coordinator, one diversion coordinator and eight additional office legal support staff. It is important to note that the attorneys could not perform their job duties without the hard work of the office manager, the victim/witness coordinator, the diversion coordinator, and the remaining support staff. We are currently seeking to hire an attorney for our juvenile division. I have interviewed applicants for the position and made an offer of employment. The applicant declined the offer after determining he was no longer interested in a position limited to prosecution.

Caseload:

The attorneys in the Reno County District Attorney's Office continue to carry one of the highest caseloads per attorney in the State of Kansas. There are currently 131 jury trials pending before the court, and those cases are handled by six attorneys. This caseload does not include the felony cases which have been filed and are awaiting either plea or preliminary hearing. The jury trial caseload also does not include the misdemeanor and traffic cases pending before the courts, the cases currently being supervised on diversion, or the caseload of the juvenile prosecutor who handles all juvenile offender, CINC, care and treatment, and forfeiture cases. The attorneys I supervise in my office have a felony case load of approximately 90 to 150 cases each. This does not include misdemeanor, traffic, juvenile offender, child in need of care (CINC), mental illness or forfeiture cases. In an attempt to ease the burden on my attorneys, I currently carry a high-level felony case load. The current burden on my attorneys to handle these caseloads and carry the burden of the Division 4 caseload is not sustainable, so I hope to hire an attorney in the near future to fill the open position.

Drug Court:

One of the initiatives with which the Reno County District Attorney's Office has been involved with is the Reno County Drug Court. The Drug Court has served the citizens of Reno County for 11 years. The purpose of this initiative is to apply scientifically approved and time-tested treatment, sanctions, and incentives for those in our community who have been convicted of felony crimes and who fall into a high risk/high need category as determined by an approved assessment tool. The goal of the Drug Court is to help those in the program live a sober, law-abiding and productive life as assets to the Reno County community. There have been thirteen graduations from Drug Court since January 1, 2023.

Budget:

The Reno County District Attorney's Office has worked closely with Randy Partington and the Board of County Commissioners to submit a budget for 2024 which is adequate for the operation of the office but does not overestimate the probable financial needs of the Office. The Office has expended 56% of its FY2023 budget as of August 31, 2023.

Projects/Issues/Challenges/Concerns:

I am grateful that the Commission has chosen to remodel the unfinished portion of the Fifth floor to accommodate the needs of my office. I look forward to being able to bring the employees that currently work in an office on the Fourth floor of the Courthouse up to the Fifth floor. The renovation will also benefit victims and the families of victims by providing a conference room that does not require the victims to walk to the last office in the current complex for meetings with prosecutors.

I am anticipating the implementation of a First Time Felony Drug Diversion program in January 2024. The Kansas legislature passed HB 2026 in 2021 that defines a process whereby my office may enter into a memorandum of understanding with Community Corrections that would allow them to supervise first time drug possession defendants on diversion. I believe this program would be a viable vehicle to satisfy my goals of getting people proper substance abuse treatment, holding them accountable for further use of drugs or other violations of the law, saving the County money, and giving first time offenders the chance to avoid a felony drug conviction.

I would also like to find a way to work a mental health aspect into the expanded diversion program. The legislature has not taken the same action with these types of cases as it has with first-time drug offenders, but I have asked our local legislators to consider taking similar action. Without legislative action, costs for that program would likely need to be borne by the County. Such an initiative will be included in the plan program only if current funding would be available for use in the program.

The District Attorney's Office will be sponsoring a Toys for Tots Drive again this year. The 23rd Annual Reno County District Attorney's Toys for Tots Drive will be held December 4 through 8, 2023. Several Departments within the County actively work to support this toy drive, and I expect there will be another friendly competition between the Reno County Sheriff's Office and the Hutchinson Police Department for the coveted traveling trophy awarded each year for the most toys contributed to the drive.

Respectfully,

Thomas R. Stanton
Thomas R. Stanton
Reno County District Attorney



AGENDA ITEM

AGENDA ITEM #8.B

AGENDA DATE: September 13, 2023

PRESENTED BY:

AGENDA TOPIC:
Planning Department Regulation Process

SUMMARY & BACKGROUND OF TOPIC:

The process of creating solar regulations starts with staff creating a draft set of regulations for the Planning & Zoning Commission (PZ) for them to have an orderly document to work from. This allows creating regulations much easier and productive. From the time regulations are being created, the PZ members can search for information relevant to solar and the public can send information to staff by a written document or email. They can also call staff at any time to ask questions or state their concerns. All written or emailed information received from the public is sent to all PZ members, prior to the next scheduled meeting. This public information is used to help create regulations.

This process continues until the PZ Commission believe they have enough information and have created regulations that would become the final draft. This final draft is then reviewed by the County Counselor for possible changes and sent back to the PZ for final review and made available to the public. Now that the PZ believes they have regulations close to be finalized, a public hearing date can be scheduled (**This is the stage of creating regulations we are currently in**). The public hearing is left open until PZ Commissioners believes everyone has had an opportunity to voice their views or recommended changes to the regulations.

Once the public hearing is closed, public comments are no longer allowed. At that time the PZ Commission makes necessary changes to the regulations draft, due to new public information or chooses to send the regulations to the County Commission with a recommendation to approve the regulations as submitted.

Solar regulations being a legislative action, the County Commissioners can open the subject for public comments and keep it open as long as they choose. Three of the options the County Commission have is to;

1. Adopt the regulations as recommended by the Planning & Zoning Commission.
2. Send the regulations back to the Planning & Zoning Commission for recommended changes for the Commission to consider.
3. With a super majority vote, reject the Planning & Zoning Commission recommended regulations and make changes themselves without sending it back to the Planning & Zoning Commission and

instruct staff to make the changes to the regulations.

RECOMMENDATION / REQUEST:

Discussion only



AGENDA ITEM

AGENDA ITEM #9.A

AGENDA DATE: September 13, 2023

PRESENTED BY:

AGENDA TOPIC:

Special Districts Revenue Neutral Rate Hearing for the purpose of answering objections of taxpayers relating to the Revenue Neutral Rate.

1. Open the Hearing
2. Discussion
3. Close the Hearing

RECOMMENDATION / REQUEST:

Hold the Revenue Neutral Rate Hearing

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

The Reno County Board of Commissioners, acting as the governing body of
Reno County Fire Districts, Reno County Sewer Districts, and Reno County Water Districts

will meet on September 13, 2023 during the regularly scheduled meeting which begins at 9:00 a.m. in the Reno County Courthouse Veterans Room, 206 W. 1st., Hutchinson, KS, for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax Revenue Neutral Rates. Detailed budget information is available at the Reno County Clerk's office and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2024 Expenditures and Amount of 2023 Ad Valorem Tax establish the maximum limits of the 2024 budget. Estimated Tax Rate is subject to change dependent on the final assessed valuation.

	Prior Year Actual 2022		Current Yr Estimate 2023		Proposed Budget Year 2024				
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2023 Ad Valorem Tax	July 1, 2023 Estimated Valuation	Proposed Estimated Tax Rate*	Revenue Neutral Rate**
Special District Funds									
Fire District No. 2 General	2,289,408	21.634	2,656,713	22.927	2,890,807	2,505,291	106,630,222	23.495	21.270
Fire District No. 3 General	190,684	5.603	219,710	5.595	237,555	203,416	33,569,672	6.060	5.297
Fire District No. 4 General	202,397	5.495	255,275	6.270	297,125	267,152	37,416,153	7.140	5.984
Fire District No. 6 General	76,042	9.860	95,325	13.705	133,880	103,597	7,839,688	13.214	13.214
Fire District No. 7 General	92,615	7.403	111,870	8.333	130,845	107,489	12,830,664	8.378	7.833
Fire District No. 8 General	166,321	5.703	172,910	5.441	196,645	173,154	27,859,278	6.215	5.132
Fire District No. 8 Bond & Interest	6,118	0.000	0	0.000	0	0	27,859,278		
Fire District No. 9 General	174,361	4.575	203,130	5.035	265,130	228,426	34,696,992	6.583	6.742
Fire District No. 9 Bond & Interest	63,800	1.664	62,600	1.572	9,133	0	34,696,992		
Fire District Jt. No. 1 Rn-Km General	153,424	6.329	169,620	6.008	197,855	175,954	25,028,725	7.030	5.680
Fire District Jt. No. 2 Rn-Hv General	164,684	5.344	202,350	5.746	224,260	194,955	28,731,948	6.785	5.576
Fire District Jt No. 2 Rn-Hv Bond & Interest	18,139	0.634	25,740	0.935	23,242	15,207	28,731,948	0.529	0.907
Sewer District No. 1 (Cedarview)	2,383	12.043	6,145	10.471	6,583	0	291,382		8.593
Sewer District No. 3-10 (Blue Spruce)	10,712	16.234	62,025	8.597	76,267	0	3,393,144		7.792
Sewer District No. 3-10 (Blue Spruce) Bond & Interest	37,625	0.000	41,875	0.000	95,702	0	3,393,144		
Sewer District No. 201 (Yoder)	21,816	17.938	34,911	22.700	76,373	23,075	1,081,206	21.342	21.744
Sewer District No. 202 (HABIT)	24,933	21.927	38,872	22.071	66,071	24,536	1,203,924	20.380	21.593
Sewer District No. 8 (Highlands)	78,214	6.733	143,233	0.000	177,387	0	5,545,007		
Sewer District No. 8 (Highlands) Bond & Interest	99,250	12.055	102,750	8.502	203,673	50,550	5,545,007	9.116	7.639
Water District No. 8 (Highlands)	37,071	0.000	63,751	0.000	576,711	0			
Water District No. 101 (Yoder)	40,564	0.000	40,070	0.000	90,942	0			
Non-Budgeted Funds - A	875,114								
Non-Budgeted Funds - B	0								

*Tax rates are expressed in mills

**Revenue Neutral Rate as defined by KSA 79-2988

Donna Patton
 Clerk

RENO COUNTY RESOLUTION NO. 2023-_____

A RESOLUTION OF RENO COUNTY, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE FOR RENO COUNTY FIRE DISTRICT NOS 2, 3, 4, 7, 8, JOINT 1 RN-KM, JOINT 2 RN-HV, AND FOR SEWER DISTRICT NO 8 BOND & INTEREST

WHEREAS, the Reno County Board of County Commissioners, as the governing body of the Reno County Fire Districts and the Reno County Sewer Districts listed below, is statutorily required to provide notice and hearing prior to exceeding the Revenue Neutral Rate; and

WHEREAS, the Revenue Neutral Rates for tax year 2023 for said Reno County Fire Districts and Reno County Sewer District No.8 Bond & Interest were calculated by the County Clerk to have the following mills for such districts:

Special District	Mills calculated for Revenue Neutral Rate
Fire District No. 2	21.270
Fire District No. 3	5.297
Fire District No. 4	5.984
Fire District No. 7	7.833
Fire District No. 8	5.132
Fire District Jt. No. 1 RN-KM	5.680
Fire District Jt. No. 2 RN-HV	5.576
Sewer District No. 8 Bond & Interest	9.116

WHEREAS, the budgets proposed by the Reno County Board of County Commissioners on behalf of said Districts will require the levy of property tax rates exceeding the Revenue Neutral Rate; and

WHEREAS, the Reno County Board of County Commissioners held a hearing on September 13, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Reno County Board of County Commissioners having heard testimony, have determined that it is in the best interests of said Reno County Fire Districts and Reno County Sewer District No. 8 Bond & Interest to exceed the Revenue Neutral Rate.

NOW, THEREFORE, BE IT RESOLVED BY THE RENO COUNTY BOARD OF COUNTY COMMISSIONERS that property tax rates exceeding the Revenue Neutral Rates indicated above shall be levied to fund the 2024 budgets for certain Reno County Fire District Nos 2, 3, 4, 7, 8, Joint 1 RN-KM, Joint 2 RN-HV and Reno County Sewer District No 8 Bond & Interest.

BE IT FURTHER RESOLVED THAT this resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Reno County Board of County Commissioners.

ADOPTED this 13th day of September, 2023

BOARD OF COUNTY COMMISSIONERS OF
RENO COUNTY, KANSAS ACTING AS THE
GOVERNING BODY OF RENO COUNTY FIRE
DISTRICT NOS 2, 3, 4, 7, 8, JOINT NO. 1 RN-KM,
JOINT NO.2 RN-HV, AND RENO COUNTY
SEWER DISTRICT NO 8 BOND & INTEREST.

Daniel Friesen, Chairman

Randy Parks, Member

Ron Hirst, Member

Don Bogner, Member

John Whitesel, Member

ATTEST:

Donna Patton, Reno County Clerk

Roll Call Vote

A Roll Call Vote of the Board of County Commissioners of Reno County, Kansas, Acting as the Governing Body of Reno County Fire District Nos 2, 3, 4, 7, 8, Joint No. 1 Rn-Km, Joint No. 2 Rn-HV, and Reno County Sewer District No 8 Bond & Interest, to Levy a Property Tax Exceeding the Revenue Neutral Rate.

Hearing to Exceed the Revenue Neutral Rate held on September 13, 2023

Resolution No. 2023-_____

Governing Body Member	Yes	No	No Vote
Daniel Friesen			
Randy Parks			
Ron Hirst			
Don Bogner			
John Whitesel			
TOTAL			

Certified:

RENO COUNTY RESOLUTION NO. 2023-_____

A RESOLUTION OF RENO COUNTY, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE FOR RENO COUNTY FIRE DISTRICT NOS 2, 3, 4, 7, 8, JOINT 1 RN-KM, AND JOINT 2 RN-HV

WHEREAS, the Reno County Board of County Commissioners, as the governing body of the Reno County Fire Districts listed below, is statutorily required to provide notice and hearing prior to exceeding the Revenue Neutral Rate; and

WHEREAS, the Revenue Neutral Rates for tax year 2023 for said Reno County Fire Districts were calculated by the County Clerk to have the following mills for such districts:

Special District	Mills calculated for Revenue Neutral Rate
Fire District No. 2	21.270
Fire District No. 3	5.297
Fire District No. 4	5.984
Fire District No. 7	7.833
Fire District No. 8	5.132
Fire District Jt. No. 1 RN-KM	5.680
Fire District Jt. No. 2 RN-HV	5.576

WHEREAS, the budgets proposed by the Reno County Board of County Commissioners on behalf of said Districts will require the levy of property tax rates exceeding the Revenue Neutral Rate; and

WHEREAS, the Reno County Board of County Commissioners held a hearing on September 13, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Reno County Board of County Commissioners having heard testimony, have determined that it is in the best interests of said Reno County Fire Districts to exceed the Revenue Neutral Rate.

NOW, THEREFORE, BE IT RESOLVED BY THE RENO COUNTY BOARD OF COUNTY COMMISSIONERS that property tax rates exceeding the Revenue Neutral Rates indicated above shall be levied to fund the 2024 budgets for certain Reno County Fire District Nos 2, 3, 4, 7, 8, Joint 1 RN-KM, and Joint 2 RN-HV.

BE IT FURTHER RESOLVED THAT this resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Reno County Board of County Commissioners.

ADOPTED this 13th day of September, 2023

BOARD OF COUNTY COMMISSIONERS
OF RENO COUNTY, KANSAS ACTING AS
THE GOVERNING BODY OF RENO
COUNTY FIRE DISTRICT NOS 2, 3, 4, 7,
8, JOINT NO. 1 RN-KM, AND JOINT NO.2
RN-HV

Daniel Friesen, Chairman

Randy Parks, Member

Ron Hirst, Member

Don Bogner, Member

John Whitesel, Member

ATTEST:

Donna Patton, Reno County Clerk

Roll Call Vote

A Roll Call Vote of the Board of County Commissioners of Reno County, Kansas, Acting as the Governing Body of Reno County Fire Districts Nos 2, 3, 4, 7, 8, Joint No. 1 Rn-Km, and Joint No. 2 Rn-HV, to Levy a Property Tax Exceeding the Revenue Neutral Rate.

Hearing to Exceed the Revenue Neutral Rate held on September 13, 2023

Resolution No. 2023-_____

Governing Body Member	Yes	No	No Vote
Daniel Friesen			
Randy Parks			
Ron Hirst			
Don Bogner			
John Whitesel			
TOTAL			

Certified:



AGENDA ITEM

AGENDA ITEM #9.C

AGENDA DATE: September 13, 2023

PRESENTED BY: Randy Partington, County Administrator

AGENDA TOPIC:

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 2024 Budget.

1. Open the Hearing
2. Discussion
3. Close the Hearing

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

The Reno County Board of Commissioners, acting as the governing body of
Reno County Fire Districts, Reno County Sewer Districts, and Reno County Water Districts

will meet on September 13, 2023 during the regularly scheduled meeting which begins at 9:00 a.m. in the Reno County Courthouse Veterans Room, 206 W. 1st., Hutchinson, KS, for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax Revenue Neutral Rates. Detailed budget information is available at the Reno County Clerk's office and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2024 Expenditures and Amount of 2023 Ad Valorem Tax establish the maximum limits of the 2024 budget. Estimated Tax Rate is subject to change dependent on the final assessed valuation.

	Prior Year Actual 2022		Current Yr Estimate 2023		Proposed Budget Year 2024				
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2023 Ad Valorem Tax	July 1, 2023 Estimated Valuation	Proposed Estimated Tax Rate*	Revenue Neutral Rate**
Special District Funds									
Fire District No. 2 General	2,289,408	21.634	2,656,713	22.927	2,890,807	2,505,291	106,630,222	23.495	21.270
Fire District No. 3 General	190,684	5.603	219,710	5.595	237,555	203,416	33,569,672	6.060	5.297
Fire District No. 4 General	202,397	5.495	255,275	6.270	297,125	267,152	37,416,153	7.140	5.984
Fire District No. 6 General	76,042	9.860	95,325	13.705	133,880	103,597	7,839,688	13.214	13.214
Fire District No. 7 General	92,615	7.403	111,870	8.333	130,845	107,489	12,830,664	8.378	7.833
Fire District No. 8 General	166,321	5.703	172,910	5.441	196,645	173,154	27,859,278	6.215	5.132
Fire District No. 8 Bond & Interest	6,118	0.000	0	0.000	0	0	27,859,278		
Fire District No. 9 General	174,361	4.575	203,130	5.035	265,130	228,426	34,696,992	6.583	6.742
Fire District No. 9 Bond & Interest	63,800	1.664	62,600	1.572	9,133	0	34,696,992		
Fire District Jt. No. 1 Rn-Km General	153,424	6.329	169,620	6.008	197,855	175,954	25,028,725	7.030	5.680
Fire District Jt. No. 2 Rn-Hv General	164,684	5.344	202,350	5.746	224,260	194,955	28,731,948	6.785	5.576
Fire District Jt No. 2 Rn-Hv Bond & Interest	18,139	0.634	25,740	0.935	23,242	15,207	28,731,948	0.529	0.907
Sewer District No. 1 (Cedarview)	2,383	12.043	6,145	10.471	6,583	0	291,382		8.593
Sewer District No. 3-10 (Blue Spruce)	10,712	16.234	62,025	8.597	76,267	0	3,393,144		7.792
Sewer District No. 3-10 (Blue Spruce) Bond & Interest	37,625	0.000	41,875	0.000	95,702	0	3,393,144		
Sewer District No. 201 (Yoder)	21,816	17.938	34,911	22.700	76,373	23,075	1,081,206	21.342	21.744
Sewer District No. 202 (HABIT)	24,933	21.927	38,872	22.071	66,071	24,536	1,203,924	20.380	21.593
Sewer District No. 8 (Highlands)	78,214	6.733	143,233	0.000	177,387	0	5,545,007		
Sewer District No. 8 (Highlands) Bond & Interest	99,250	12.055	102,750	8.502	203,673	50,550	5,545,007	9.116	7.639
Water District No. 8 (Highlands)	37,071	0.000	63,751	0.000	576,711	0			
Water District No. 101 (Yoder)	40,564	0.000	40,070	0.000	90,942	0			
Non-Budgeted Funds - A	875,114								
Non-Budgeted Funds - B	0								

*Tax rates are expressed in mills

**Revenue Neutral Rate as defined by KSA 79-2988

Donna Patton
 Clerk



AGENDA ITEM

AGENDA ITEM #9.D

AGENDA DATE: September 13, 2023

PRESENTED BY: Randy Partington, County Administrator

AGENDA TOPIC:

Adopt the 2024 Special Districts Budget:

[Budget as Proposed](#)

[Budget as Proposed but Amended](#)

[Budget with No Utility Levies \(Option2\)](#)

SUMMARY & BACKGROUND OF TOPIC:

A couple more months of the increased rate for user fees have been receipted in for Sewer District Nos 201 & 202 since the publication of the 2024 Special Districts Budget. Further analysis of those two districts showed we could further increase the estimated user fees revenue for both FY2023 and FY2024. Because of the revenue increases the proposed budget has been amended to show no mill levy/ad valorem in FY24 is needed for Sewer District No. 202 (H.A.B.I.T.). Sewer District No. 201's (Yoder) ad valorem estimate has reduced from \$24,536 (20.380 mill rate) to \$5,743 (5.312 mill rate). The proposed but amended budget shows no change to Sewer District #8 Bond & Interest ad valorem of \$50,550 (9.116 mill rate).

ALL OPTIONS:

- Adopt the 2024 Special Districts Budget as proposed but amended to have no tax levy for Sewer District 202; a reduced tax levy for Sewer District 201; and no change in tax levy from the proposed budget for Sewer District No. 8 Bond & Interest
- Adopt Option 2 for the 2024 Special Districts Budget which has no 2023 ad valorem tax for 2024 budgeting of the Water and Sewer Districts; and User Fees would need to be increased for Sewer District 8 (Highlands) to cover bond and interest payments.

RECOMMENDATION / REQUEST:

Adopt the 2024 Special Districts Budget as proposed but amended to have no tax levy for Sewer District 202; a lower tax levy for Sewer District 201; and no change in tax levy from the proposed budget for Sewer District No. 8 Bond & Interest.

DRAFT-Proposed but Amended

CERTIFICATE (2)

		2024 Adopted Budget				
		Page No.	Expenditures	Amount of 2023 Ad Valorem Tax	County Clerk's Use Only	
					Nov. 1 Final Assessed Valuation	Final Tax Rate*
Table of Contents:						
Fund Name	K.S.A.					
Fire District No. 2 General	19-3610	4	2,890,807	2,505,291		
Fire District No. 3 General	19-3610	5	237,555	203,416		
Fire District No. 4 General	19-3610	6	297,125	267,152		
Fire District No. 6 General	19-3610	7	133,880	103,597		
Fire District No. 7 General	19-3610	8	130,845	107,489		
Fire District No. 8 General	19-3610	9	196,645	173,154		
Fire District No. 8 Bond & Interest	10-113	10	0	0		
Fire District No. 9 General	19-3610	11	265,130	228,426		
Fire District No. 9 Bond & Interest	10-113	12	9,133	0		
Fire District Jt. No. 1 Rn-Km General	19-3610	13	197,855	175,954		
Fire District Jt. No. 2 Rn-Hv General	19-3610	14	224,260	194,955		
Fire District Jt No. 2 Rn-Hv Bond & Interest	10-113	15	23,242	15,207		
Sewer District No. 1 (Cedarview)	19-27a09	16	6,583	0		
Sewer District No. 3-10 (Blue Spruce)	19-27a09	17	76,267	0		
Sewer District No. 3-10 (Blue Spruce) Bond & Interest	10-113	18	95,702	0		
Sewer District No. 201 (Yoder)	19-27a09	19	71,850	5,743		
Sewer District No. 202 (HABIT)	19-27a09	20	66,071	0		
Sewer District No. 8 (Highlands)	19-27a09	21	177,387	0		
Sewer District No. 8 (Highlands) Bond & Interest	10-113	22	203,673	50,550		
Water District No. 8 (Highlands)	19-3541	23	576,711	0		
Water District No. 101 (Yoder)	19-3541	24	90,942	0		
Non-Budgeted Funds - A		25	0	0		
Non-Budgeted Funds - B		26	0	0		

Attest: _____ 2023

Randy Parks

Ron Hirst

Don Bogner

John Whitesel

County Clerk

Daniel Friesen
Governing Body

DRAFT-Option 2 No Levies for Water or Sewer Districts

State of Kansas-County Special District

Reno County

2024

CERTIFICATE (2)

		2024 Adopted Budget				
		Page No.	Expenditures	Amount of 2023 Ad Valorem Tax	County Clerk's Use Only	
					Nov. 1 Final Assessed Valuation	Final Tax Rate*
Table of Contents:						
Fund Name	K.S.A.					
Fire District No. 2 General	19-3610	4	2,890,807	2,505,291		
Fire District No. 3 General	19-3610	5	237,555	203,416		
Fire District No. 4 General	19-3610	6	297,125	267,152		
Fire District No. 6 General	19-3610	7	133,880	103,597		
Fire District No. 7 General	19-3610	8	130,845	107,489		
Fire District No. 8 General	19-3610	9	196,645	173,154		
Fire District No. 8 Bond & Interest	10-113	10	0	0		
Fire District No. 9 General	19-3610	11	265,130	228,426		
Fire District No. 9 Bond & Interest	10-113	12	9,133	0		
Fire District Jt. No. 1 Rn-Km General	19-3610	13	197,855	175,954		
Fire District Jt. No. 2 Rn-Hv General	19-3610	14	224,260	194,955		
Fire District Jt No. 2 Rn-Hv Bond & Interest	10-113	15	23,242	15,207		
Sewer District No. 1 (Cedarview)	19-27a09	16	6,583	0		
Sewer District No. 3-10 (Blue Spruce)	19-27a09	17	76,267	0		
Sewer District No. 3-10 (Blue Spruce) Bond & Interest	10-113	18	95,702	0		
Sewer District No. 201 (Yoder)	19-27a09	19	76,041	0		
Sewer District No. 202 (HABIT)	19-27a09	20	66,071	0		
Sewer District No. 8 (Highlands)	19-27a09	21	177,387	0		
Sewer District No. 8 (Highlands) Bond & Interest	10-113	22	153,123	0		
Water District No. 8 (Highlands)	19-3541	23	576,711	0		
Water District No. 101 (Yoder)	19-3541	24	90,942	0		
Non-Budgeted Funds - A		25	0	0		
Non-Budgeted Funds - B		26	0	0		

Attest: _____ 2023

Randy Parks

Ron Hirst

Don Bogner

John Whitesel

County Clerk

Daniel Friesen
Governing Body



AGENDA ITEM

AGENDA ITEM #10.A

AGENDA DATE: September 13, 2023

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 Aging-Public Transit, Appraiser, Automotive, Clerk, Community Corrections, District Attorney and Emergency Management.



120 W. Avenue B, Hutchinson, KS 67501

(620)694-2911 Fax: (620)694-2767

Monthly Report for August 2023
Submitted by
Barbara Lilyhorn
Director- Department of Aging and Public Transportation

Budget

Aging Services has spent 43% and Public Transit has spent 41 % of the Department budgets respectively – a composite total of 42% of the entire 002 expenditure budget as of 08/25/2023. Composite revenue is 32 %.

Public Transportation Operations

Staff

Rcat continues to have 2 driver positions open which is currently being advertised. One position opened on September 1 due to a driver resignation. We had a new driver come on board this month.

We took delivery of the 2023 Starcraft cutaway from Midwest Transit I reported on last month. The bus has had the skirt painted, all of the inspections are done, and we are waiting for the graphics to be installed.

Rcat sold a 2010 Dodge Grand Caravan on Purplewave earlier this month. The van brought \$9,800.00. The proceeds of the sale will be divided with KDOT in the same proportion as the original purchase match. KDOT will receive 80% of the sale price and Reno County will retain 20% of the sale price.

Rcat was selected as one of 400 transit providers across America to provide 1 week of sample ridership data each month and are required to provide geospatial information through a General Transit Feed Specification published on a common readily available internet platform. Basically, that means Rcat must have our Fixed Routes published on the internet so people can easily find and access them. Rcat will be partnering with Google Maps to accomplish this requirement.

We are very close to finishing the General Transit Feed Specification (GTFS) project required by the FTA for the National Transit Data base. Rcat's routes have passed the verification checks, been formatted, coded and submitted for review. They are in the test site now, and if everything looks good, we will be publishing on Google Maps.

Significant time was spent planning and testing the new shopping route. This will be a fixed route offering point to point service to and from 12 congregate living facilities. Passengers from all 12 living facilities will have the opportunity to shop each day of the week at a different shopping location. The pick and drop off times rotate and so do the shopping locations to accommodate peoples' preferences and personal schedules. The housing facilities include most of the elderly, low-income and assisted living sites in Hutchinson: Wesley Towers, Washington Heights, The Lighthouse, Riverview Apartments, South Hutchinson Hi-Rise, Mennonite Manor, LINK, Wiley Plaza, The Lofts of Hutchinson, Legend of Hutchinson, Good Samaritan, and Mission Place. We attempted to put every grocery/food store in Hutchinson as well as many pharmacies on the route. They include Walmart, Dillons on 4th, 5th, Main and 30th, Aldis, Medicine Shoppe, Ashcraft Pharmacy, Smiths Market, Dollar General Adams St. and South Hutchinson and the Mall (Dollar Tree & Ollies). The shopping locations selected were governed by the ability to maneuver the bus safely, consistently into and out of the parking lot. Service will begin on September 5.



120 W. Avenue B, Hutchinson, KS 67501

(620)694-2911 Fax: (620)694-2767

Aging Operations

Staff

The vacant Social and Human Service Assistant position was opened and there have been several applicants.

The Senior Farmer's Market Nutrition Program allotted Reno County an additional 29 coupon booklets in a second distribution. Those were distributed to individuals who were on the wait list.

We have begun developing the appointment schedules for the Senior Health Insurance Counseling in Kansas program volunteers. We will begin accepting appointments on September 15 for Medicare Part D Open Enrollment period October 15 – December 7.



RENO COUNTY
125 West First Ave.
Hutchinson, Kansas 67501
(620) 694-2915
Fax: (620) 694-2987

Re: Monthly report for end of August 2023

To: Randy Partington, County Administrator

Staffing changes or issues

The Appraiser's Office has posted for a Residential Appraiser and will conduct interviews with qualified applicants until the position is filled.

The appraiser's office has received notice from the Kansas Department of Revenue's Property Valuation Division (PVD) that we are in full statistical compliance for tax years 2022 and 2023. Per statute, this notice was also sent to the Reno County Commission by PVD.

Financial summary

As of 8/31/23, the Appraiser will have spent approximately 60% of the year-to-date budget, with the majority of it being payroll. The remaining expenses were primarily regular or seasonal/monthly expenses.

Projects/Issues/Challenges/Concerns

Residential & Commercial Departments

- Staff is diligently going through field work (sales review, permits, 17% review) for the 2024 valuation.
- Staff is defending appealed informal valuation decisions at small claims and BOTAs.
- As of 8/31, only three appeals for the 2023 tax year are pending with the full Board in Topeka.

Personal Property

- Staff is inputting cost values for various personal property items for the 2024 valuation.

Support Staff

- Staff continues to process deeds and update records accordingly.
- Staff continues to work with IT regarding the GlobalSearch (Square9) transition.
- Staff is working Splits/Combos as they come in.



120 W. Avenue B, Hutchinson, KS 67501
620-694-2585
Fax: 620-694-2767

Budget YTD Summary

As of August 28, 2023, we are at 64% of our overall budget of \$200,483. The internal services fund (fuel and parts) stands at 47% out of the budget of \$330,846. In the special equipment fund for vehicles, we are at 61.35% with purchases and encumbrance out of the overall budget of \$236,250.

Projects/Issues

One issue that we are working on is the order for replacement vehicles. The maintenance department's Ford Maverick is scheduled to be built on October 16th but the two responder F150 trucks have been put on material hold so it is possible that these orders will be cancelled. We are waiting to hear back from the government sales GSM at Ford to see if this will be resolved.

We were also notified that there will be no 2024 police interceptor orders taken so we are exploring our options in that regard.

July fuel expenses came in at \$18,351.01.



Donna Patton
County Clerk

RENO COUNTY
125 West 1st Ave.
Hutchinson, Kansas 67501
(620) 694-2934
Fax: (620) 694-2534
TDD: Kansas Relay Center 1-800-766-3777

Clerk/Election Monthly Report for August

In the Election's Office we are getting ready for the General City/School Election. We are proofing the ballots and will get that order submitted in the next week. Brooke will be leaving September 22nd, so we have hired a new person to replace her, and Brooke is getting her trained.

In the Clerk's Office we are getting in budgets from the various Taxing Entities. When those are all in, we will begin the process to get the tax statements ready.

By the end of August, 67% of the year-to-date budget has been used in the Clerk's Office with the majority of that for payroll and to pay for the RNR notices (\$22,620) that had to be mailed out and 53% in the Election's Office has been used, with the majority of that for payroll and software maintenance.

Donna Patton



COMMUNITY CORRECTIONS

115 West 1st
Hutchinson, Ks. 67501
Phone 620-665-7042
Fax 620-662-8613

County Commission Report

August 2023

Staffing

There are no open positions at Community Corrections. Jessica Suda transitioned from the Intensive Supervision Officer position to Administrative Assistant in August. Interviews for her position were completed and an offer was made to fill the position. The new officer has a tentative start date of September 5 pending the background checks and testing.

Projects/Concerns

A major challenge comes when an officer leaves the agency because other officers have to take on additional people to supervise. Based on recommended caseloads we typically have three fewer officers than are needed. Losing an officer increases caseloads even higher. This is very taxing for officers and further reduces the amount of time they have to spend with each person assigned to them. The documentation requirements don't decrease so officers have to reduce the amount of time working on behavior change with clients. Agencies across the state have been driven to do more with less for the past ten years and have been pushed beyond efficiency to the point of cutting practices that provide public safety.

Financial

The adult Community Corrections Advisory Committee, CCAC, to the Department of Corrections had two meetings with Secretary of Corrections Jeff Zmuda and his staff in August. Secretary Zmuda's budget request is due to the State Division of the Budget office September 15. These meetings focused on developing an enhanced budget request for additional Community Corrections grant funding for FY2025. The CCAC is requesting an additional \$5 million statewide. This request includes \$1.5 million as part of a three-year phased approach to add fifty one additional officers to reduce caseloads. It also includes \$3.5 million to increase mental health, substance abuse, and behavior change interventions and assistance for people assigned to supervision. The committee is hopeful Secretary Zmuda will include this request for additional funding in his final enhanced budget request.

The Kansas Community Corrections Association is encouraging agencies to start reaching out to their local Representatives and Senators to advocate for additional funding for FY2025. We have sent letters out to each of the local legislators and are trying to schedule meetings with certain key members of the legislature.

Communications Monthly Report – August 2023

Press Releases: Rcat announces new Shopping Route, Youth Services awarded grant for Project YES, Health Alert – spike in non-fatal overdoses.

Graphic Design: Rural road closed graphic, Youth Services job recruitment graphic for a cook, USD 310 Election Day voting graphic, photo montages for Facebook page.

Website: Rcat announces new Shopping Route, Reno County at United Way Work Day, Planning Commission's Commercial Solar Regulations draft, Cops at Donut Shops fundraiser for Special Olympics, District Attorney's Office Open House, Childcare Orientation Class, Project YES (Youth Empowerment Services), Fight the Bite (mosquito and ticks), Daycare Provider class, results from USD 310 Fairfield Primary Election.

Videos/Photos: Videos: Reno Co. Fire District Drip Torch Training, Reno County at United Way Work Day. **Photos:** Pam Adrian retirement party in Veteran's Room, canvass of the Aug. 1st Primary Election for USD 310, Reno County Appraiser Michael Plank at National Active and Retired Federal Employees Association - Salt City Chapter 537, Reno County Health Department sponsored the Hutchinson/Reno County Chamber of Commerce Membership Luncheon, District Attorney's Office Open House, Childcare Orientation Class, Cops at Donut Shops fundraiser for Special Olympics, Reno County Fire District Drip Torch Training, proclamation at county commission meeting proclaiming September as National Recovery Month, Reno County at United Way Work Day, County Commission meeting and study session 08-30-23, ongoing renovation photos.

Social Media: July 29 – August 31, 2023

- **Facebook Reno County:** 3,847 followers (+24), 48 posts
 - Top Post: Cops at Donut Shops (08.16.23)
 - 9,179 reach, 836 engagements, 11 shares, 95 reactions, 3 comments
- **Twitter:** 869 followers (+7), 20 tweets
 - Top Tweet: Olcott Road closed for bridge replacement (08.29.23)
 - 84 impressions, 1 total media engagement
- **YouTube:** 348 subscribers (+6)
 - Top video: Reno County Commission meeting (08.09.23)
 - 161 views
- **LinkedIn:** 111 followers (+4), 1 new post
- **Instagram:** 20 followers (+1), 13 posts.

Committee Meetings: Reno Recovery Collaborative monthly meeting, Hutchinson Community Foundation Strategic Impact Committee, Employee Engagement Committee **Other:** Joined the 2023 Leadership Reno County class.

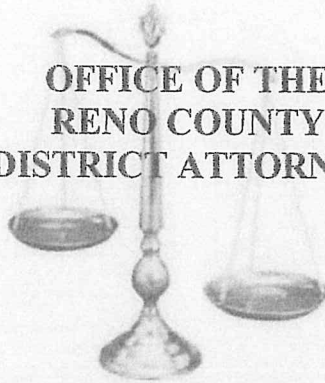
DISTRICT ATTORNEY
Thomas R. Stanton

DEPUTY DISTRICT ATTORNEY
Andrew R. Davidson

SENIOR ASSISTANT DISTRICT
ATTORNEY
Kimberly Rodebaugh

ASSISTANT DISTRICT ATTORNEYS
Brian Koch
Jamie Karasek
Sierra Logan
S. Kyle Byfield

OFFICE OF THE
RENO COUNTY
DISTRICT ATTORNEY



The 27th Judicial District of Kansas
206 West First Avenue, 5th Floor
Hutchinson, KS 67501-5204

Telephone: (620) 694-2715
Fax: (620) 694-2711

Victim-Witness Service
Jody Bryant
(620) 694-2773

Investigator
Daniel Nowlan
Telephone: (620) 694-2765
Fax: (620) 694-2762

August 2023 BOCC Update

Staffing Changes or Issues: As of August 31, 2023, the Reno County District Attorney's Office employs 21 people when fully staffed: seven attorney/prosecutors: one investigator/coroner assistant; two part-time assistant coroners; one office manager; one victim/witness coordinator; one diversion coordinator; and eight office legal support staff. Two staff members have recently resigned. Our receptionist, Karlee Willis, resigned to devote more time to her family. We have hired Jennifer Craig to fill that position. Kyle Byfield, a staff attorney, resigned to take a much higher-paid position in the Barton County Attorney's Office. I made an offer to an applicant for that position, but he ultimately declined the offer. We continue to seek a replacement for Mr. Byfield.

There were two graduations from Drug Court in the month of August 2023. Graduation ceremonies are held when Drug Court participants complete the requirements of the program, so it is not unusual to have no graduations in a specific month.

Budget Summary: FY2023 expenditures to date are at 56% of budget as of August 31, 2023.

Projects-Issues-Challenges-Concerns: See prior reports.

January 1, 2024, is the date anticipated for the expansion of our diversion program according to the provisions of HB 2026, and I hope to include some mental health diversion in that process. This process will involve coordination between my office, Community Corrections and others within the County government. I plan on applying for Opioid Settlement Funds to supplement the cost of the First Time Felony Drug Diversion Program.

Thomas R. Stanton
Thomas R. Stanton
Reno County District Attorney



Emergency Management

Reno County
206 W 1st Ave
Hutchinson, KS 67501
620-694-2974

8/31/2023

Staffing changes or issues (if any)

There are no staffing changes to report.

Budget YTD summary

Emergency Management has used 60% of its year-to-date budget.

Projects/Issues/Challenges/Concerns

Activities:

- At the end of July, attended a Leading-Edge class.
- Continue to attend KS State Fair planning meetings.
 - Participated in a tabletop exercise.
- Attended Kansas Emergency Management Association meeting.
- Our mitigation plan is expiring at the end of 2024. This month, there were two mitigation kickoff meetings for the new plan. If mitigation funds become available, the organizations must participate and be included in the updated plan. Prior to the meetings, we emailed organizations we had an email address for and mailed letters to the rest, notifying them of the process. These notifications went to each city, township, school district, and drainage district, we have received limited participation thus far.
- Continue to attend weekly meetings on Lexipol policies for fire districts.
- The monthly Fire Chiefs Association meeting was held on the first Wednesday of August. The Chiefs were presented with information that would be presented at the BOCC on August 30th and instructed to take that information to their firefighters for feedback, prior to the scheduled study session.
- Conducted pump and ladder testing for each fire district, this is required yearly.
- Conducted SCBA testing for each fire district, this is required yearly.
- Organized, taught, and participated in an ignitions class for the quarterly fire department training. USDA, and the Kansas Forrest Service assisted in teaching this class. Every rural fire district and Hutchinson Fire attended the training. There were three separate burn areas completed, all three



Emergency Management

Reno County
206 W 1st Ave
Hutchinson, KS 67501
620-694-2974

county UTVs were utilized during this training. Approximately 50 firefighters across the county participated and we have received positive feedback from the training.