

September 13, 2023
Reno County Courthouse
Hutchinson, Kansas

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

The meeting began with the Pledge of Allegiance followed by a short sectarian prayer led by Commissioner Ron Hirst.

Mr. Friesen invited the Board and public to attend the goat milking contest by the Commissioners at the Kansas State Fair, Friday at 3:00 p.m.

4A. At 9:05 a.m. Mr. Friesen opened the public hearing for the vacation of a portion of West 95th Avenue.

Administrator Randy Partington explained the petition to vacate a portion of 95th Avenue was at the request of the owner since he owns both sides of the road and has crops growing in the roadway currently. Mr. Parks, Mr. Hirst, Mr. Brittain, Ms. Martin, and Mr. Partington attended the viewing along with two township officials, one representing the owner.

At 9:07 a.m. Mr. Friesen closed the hearing.

5. Fire Chief Lyndon Ropp had concerns about raising the mill levy from 5.441 to 6.215 with money being tight. He believes consolidation would hurt the community; he gave a short story of when Pleasantview wanted to extend their boundary percentage. He said 200 people were at the meeting and 97 percent signed a petition to change the boundary and the other 3 percent were out of state residents. He believes it didn't pass because of former Administrator Gary Meagher and former County Counselor Joe O'Sullivan. Another issue was bunker gear, because in the 80's they had to pay for their own gear that lasted for 10 years. City and County have a difference in fire structure calls. He also spoke about equipment replacement.

Mr. Friesen stated the mill levy would be discussed later in the agenda meeting. He thanked and appreciated Mr. Ropp's comments.

There were no additions or revisions to the agenda.

Mr. Bogner expressed concern on consent item 7B for the person who thought he may be landlocked by the vacation of the road. Mr. Brittain stated that person did not appear at the last meeting. Mr. Hoffman stated the road was platted but not built for decades and this action would allow the property to not be tied up for future developments.

Mr. Hirst moved, seconded by Mr. Parks, to approve the consent agenda consisting of items 7A through 7D which includes the: **(7A)** Accounts Payable Ledger for claims payable on September 1, 2023, totaling \$401,629.84; Accounts Payable Ledger for claims payable on September 8, 2023, totaling \$107,030.06; **(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 #2023-24: 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** (Harrison Family Trust by Nickerson, KS); **(7D)** to declare Sheriff's 2012 Chevrolet Impala VIN #2G1WF5E3XC1211653 as surplus to be traded and authorize County Administrator Randy Partington to sign necessary title work; as provided by staff. The motion was approved by a roll call vote of 5-0.

District Attorney Tom Stanton reviewed highlights from his lengthy annual report to the Board. He spoke about staffing, drug court, projects, legislation, moving offices and the Toy's for Tots program. The Board had several comments on ankle bracelet option for Reno County, Stepping Up Council addressing issues, reduce cases moving them out to Horizons Mental Health personnel.

Mr. Friesen asked County Attorney Patrick Hoffman to explain the Planning and Zoning regulation process.

Mr. Hoffman gave an overview for discussion of the Planning regulation process and used the solar regulations since it is a controversial topic. He stated all commissioners and staff should follow the procedure by forwarding any comments or information to the Planning Commission. He instructed the commission that if they receive a phone call with concerns on the solar issues, they need to ask the person to put them in writing to be forwarded to the Planning Board to be included in the record for documentation. Planning and Zoning is appointed by the Commissioners and all of them are volunteers and from different backgrounds. He explained that they review current regulations and research any revisions that may need to be made, doing the "legwork" for the county commissioners. They send the drafted copy to the county counselor to review legal matters, then hold a public hearing or hearings for public comments. After the public hearing the planning commission may make a recommendation to the county commissioners to consider. Then they will hold a public hearing where everyone has the chance to comment, after which the official record is closed. Then a recommendation is sent to the Commissioners to adopt one of these three options: **(1)** adopt the regulations as recommended by the Planning and Zoning Commission; **(2)** send the regulations back to the Planning and Zoning Commission for recommended changes for the Commission to consider; **(3)** with a super majority vote, (takes 4 commissioners to make changes) reject the Planning and Zoning Commission recommended regulations and make changes themselves without sending it back to the Planning and Zoning Commission and instruct staff to make the changes to the regulations. He advised the Board not to hear public comments at their agenda meeting since the Planning Board would not have it documented.

The Board discussed more about the regulations. Mr. Brittain clarified accepting written letters or emails from the public about their concerns and noted that they should be sent directly to the Planning Board. They research and hold public hearings for all citizens to attend and voice those concerns. The Planning Board makes a draft with corrections if needed and will hold another public hearing, then if nothing new, they close the hearing for the final draft. The next step will be to send their recommendation to the Commission for options. Mr. Bogner stated it was good to know the legal aspects and the public needs to follow the proper process to be heard.

Mr. Brittain explained gathering information, organizing it, and internet searching and using public comments. Mr. Whitesel asked for a press release about public comments, will they be taken at the Planning and Zoning hearing.

Mr. Hoffman stated his recommendation was no public comments in the commission meetings. Mr. Friesen stated there was consensus for staff to make it clear in a press release of how the public can make comments.

9A. Administrator Randy Partington explained the Special Districts Revenue Neutral Rate Hearing for the purpose of answering objections of taxpayers relating to the Revenue Neutral Rate. Mr. Friesen opened the hearing at 10:38 a.m. There was no discussion. Mr. Friesen closed the hearing at 10:39 a.m.

9B. Mr. Friesen clarified the exceeding of RNR on these districts by announcing they may exceed. Resolution 2023-25 to levy a property tax rate exceeding the revenue neutral rate for the Special Districts 2024 Budget. **Mr. Hirst moved, seconded by Mr. Bogner**, to approve **resolution #2023-25; 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 RENO/KINGMAN, AND JOINT 2 RENO/HARVEY** as presented by staff. The motion was approved by a roll call vote of 5-0.

9C. At 10:43 a.m. Mr. Friesen opened the Budget Hearing for the purpose of hearing and answering objections relating to the proposed use of all funds and the amount of ad valorem tax for the Special Districts' 2024 Budget. There was no discussion. Mr. Friesen closed the hearing at 10:44 a.m.

9D. Mr. Partington explained the options for adopting the 2024 Special Districts Budget. He stated the Budget as proposed with changes, the Budget as proposed but amended (lowers or removes some tax levies, and the Budget amounts as recommended but with no utility levies (which was Option 2). He clarified tax unit increases from last year. **Mr. Friesen moved, seconded by Mr. Whitesel**, to approve Option 2 as outlined by staff. The motion was approved by a roll call vote of 5-0.

10A. County Administrator Randy Partington asked if the Board had questions on department reports, none were made. He mentioned the goat milking by three or more commissioners on Friday at 2:45 p.m. and the need for giving notification of a quorum.

Mr. Hoffman stated the tax sale was October 12th, 2023, starting to 9:00 a.m. at the Hutchinson Auditorium (Memorial Hall) with 77 parcels and stated said that some may redeem by October 11th at 3:00 p.m.

11. Commissioner comments:

Mr. Bogner spoke about the Quad County quarterly meeting where they discussed the 30/30 trail. Sedgwick County was looking into doing something regionally saying Reno County has a leg in the issue. He said Reno County had the Cosmosphere and Strataca, one of the seven salt mines you could still go down into. The Exploration Place Director was from Britain, and it was suggested he visit The Cosmosphere since they had the best aviation in U.S. and possibly the world.

Mr. Hirst mentioned a conservation social that the commissioners could attend, along with members of the State Conservation Commission, to be held at 5:30 p.m. Thursday. He asked if there was a need to put out a press release for more than 3 commissioners attending. The Official newspaper items should use Ninnescah Valley instead of The Hutchinson News. He noticed the Sheriff used The Hutchinson News. Mr. Hoffman explained why the Sheriff may use another newspaper. He would publish in both newspapers for the tax sale next year.

Mr. Whitesel commented on hosting the Kansas State Fair, urging people to go. In the paper, the state sends dollars to local Police/Sheriff for DUI push. Out of 64 people stopped by the Sheriff 60 were let go with a warning, and he said he appreciated that treatment. He mentioned Grace Bible Church Fall Festival this evening and invited everyone to come visit it at 6:00 p.m.

Mr. Friesen stated he and Mr. Partington attended the State Fair Board meeting. He said they were a good group of board members with daily situation reports and mentioned that they installed a new communication system.

They appreciated Reno County. The Clerk's Office, Donna Patton, invited him to welcome the County Clerk's Association to their bi-annual meeting at Stratataca.

At 11:15 a.m. the meeting recessed for five minutes.

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

12A. At 11:25 a.m. **Mr. Friesen moved, seconded by Mr. Parks**, to recess into executive session for 35 minutes until 12.00 p.m. with County Administrator, County Counselor, joining the governing body in the executive session, the justification for the executive session was for personnel matters of non-elected personnel. The motion was approved by a roll call vote of 5-0.

At 12:00 p.m. Mr. Friesen adjourned the meeting until Wednesday, September 27th, 2023, at 9:00 a.m.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date