

February 28th, 2024  
Reno County Courthouse  
Hutchinson, Kansas

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

Mr. Friesen was not in attendance at the onset of the agenda meeting. His attendance is noted later in these minutes.

The meeting began at 9:00 a.m. with the Pledge of Allegiance followed by a short sectarian prayer led by Assistant to Pastor Doug Warner from Westside Baptist Church.

**Mr. Whitesel** motioned to move four items 6C, 6J, 6K, 6M from the consent agenda to business items #8G, 8H, 8I, and 8J for discussion. The motion was seconded by **Mr. Bogner** and approved by a roll call vote of 4-0.

**Mr. Whitesel moved, seconded by Mr. Bogner**, to approve the consent agenda consisting of items 6A, 6B, 6D, 6E, 6F, 6G, 6H, 6I, and 6L removing 6C, 6J, 6K, and 6M which includes the: **(6A)** Accounts Payable Ledger for claims payable on February 23rd, 2024, totaling \$913,937.32; Accounts Payable Ledger for claims payable on March 1st, 2024, totaling \$330,960.82; **(6B)** approval of BOCC drafted minutes for January 10<sup>th</sup>, 24<sup>th</sup>, and 31<sup>st</sup>, 2024; **(6D)** approve to declare a 1997 Ford E-350 (VIN 1FBHE31L7VHC01339), 2019 Ford F150 (VIN 1FTEW1P43KKD16681), used tires from RCAT, and Moose Plow UTV snowplow as surplus to be sold on Purple Wave; and authorize County Administrator Randy Partington to sign the titles of the vehicles; **(6E)** approval for a Public Works Department request to purchase one (1) 2024 Ram 3500 Crew Cab 4X4 from Allen Samuels, Hutchinson, Kansas, for a total price of \$53,105, and declare the 2009 Chevrolet Silverado 2500 (VIN 1GCHK49K99E134563), as surplus to be auctioned on Purple Wave, and authorize County Administrator Randy Partington, to sign the title; **(6F)** approve the purchase of two (2) 2024 Ford F-250 Crew Cab 4X4 trucks from Midway Motors Hutchinson, Kansas, for the solid Waste Department in the amount of \$76,620.00; and declare the 2017 Ram 2500 (VIN 3C6TR5CT4HG563170) and 2013 Ford F-250 (VIN 1FT7W2B67DEA43656), as surplus property for trade; and authorize County Administrator Randy Partington to sign the titles, **(6G)** approve a Caterpillar Certified Powertrain rebuild on #355 D8T Dozer (SN#FMJC01096) from Foley Equipment in Wichita, KS in the amount of \$596,370.14, **(6H)**

approve a Caterpillar Certified Powertrain rebuild on #343 826 compactor (SN#AWF00831) from Foley Equipment in Wichita, KS in the amount of \$252,761.23; **(6I)** approval to replace and install a new Undercarriage on #356 D8T CAT Dozer in the amount of \$98,234.38 by Foley Equipment, Wichita, KS; **(6L)** approval to reappoint Emergency Management Director, Adam Weishaar to the South Central Kansas Homeland Security Council as Reno County's representative effective 2/28/2024 through 12/31/2026; as presented by staff. The motion for the consent agenda was approved by a roll call vote of 4-0.

8F. James Krstolich, Public Relations for IdeaTek gave a brief history and went into a discussion on a broadband grant. This grant would cover 211 homes with broadband fiber optics from 69<sup>th</sup> to 108<sup>th</sup> Avenue for \$850,000. This grant application would be a 50/50 split and needed to be applied for by March 11<sup>th</sup>, 2024. IdeaTek was requesting assistance of \$25,000 from Reno County funds. The \$25,000 from Reno County would offset the amount the state would need to grant for the project.

IdeaTek would still put up the \$425,000 toward the grant, regardless of the county's participation or it would split the difference between the state and IdeaTek. Mr. Krstolich also requested a Letter of Support from the Board. There was a large discussion from the need for fiber optics in rural areas to funding by using taxpayers' money.

**Mr. Whitesel moved, seconded by Mr. Hirst,** to approve the Letter of Support and funding the \$25,000 requested amount. The funds would not be spent by Reno County if IdeaTek was denied grant approval. The motion from a roll call vote was 2-2 and did not pass.

Mr. Hirst reminded the Board that most grants required matching funds for approval, he asked about franchise fees. Mr. Hoffman was not convinced Reno County could require charging franchise fees for broadband internet. Mr. Krstolich said the residents in that area would be disappointed the county would not support the grant match. Mr. Bogner said they were setting a precedence with countywide funds in one area, and he did not think they could fund them with county money. Mr. Krstolich stated to get the grant they had to have funds from an entity matched by the state, it was a requirement for grant approval.

**Mr. Whitesel** moved to approve the Letter of Support with matching \$100 per house for the 211 homes contingent on grant acceptance, **Mr. Hirst** seconded. The motion from a roll call vote was 2-2 and did not pass.

**Mr. Whitesel moved, seconded by Mr. Hirst**, to approve the Letter of Support from the Board to IdeaTek for grant. The motion was approved by a roll call vote of 4-0.

Mr. Friesen joined in the agenda meeting.

7A. County Counselor Patrick Hoffman stated this was a long-standing issue adding that this Public Hearing was regarding the amended Reno County Sanitation Code. The Kansas Department of Health and Environment reviewed the revised code and approved it in accordance with Kansas Statutes Annotated (KSA) 19-3704. Small changes were made in the language to make it easier, cleaner, and more transparent within the code. He suggested the code be reviewed and updated in the future as needed.

At 10:00 a.m. Mr. Parks opened the public hearing.

Ron Vincent with Carl Vincent Sewer stated the code was not what he expected and referenced 4.2. Great strides were made to cover a lot of issues and he thought with proper administration it could work.

At 10:05 a.m. Mr. Parks closed the public hearing.

8A. **Mr. Hirst moved, seconded by Mr. Whitesel** approved the adoption of Reno County Sanitation Code as presented by staff. The motion was approved by a roll call vote of 5-0. The adoption was **resolution #2024-04; A RESOLUTION OF THE GOVERNING BODY OF RENO COUNTY, KANSAS ADOPTING THE AMENDED COUNTY SANITATION CODE ENTITLED "RENO COUNTY SANITATION CODE"** and would be signed by the Board at the next agenda meeting.

8B. Mr. Hoffman spoke about **resolution #2024-03; A RESOLUTION OF THE GOVERNING BODY OF RENO COUNTY, KANSAS ADOPTING CHANGES TO THE ORGANIZATION PLAN FOR THE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**. He stated this was the best way to implement it, making a formal adoption of the Environmental Division of Public Works (ENV). Putting the Environmental Health division under the same Public Works building as the Planning and Zoning.

**Mr. Hirst moved, seconded Mr. Bogner,** to approve resolution #2024-03 that changed the organization plan for the County Environmental Health Department. The motion was approved by a roll call vote of 5-0.

8C. Jackson Swearer, Executive Director of StartUp Hutch made a 2023 report entrepreneurship presentation.

8D. Adam Weishaar Emergency Management Director reviewed the highlighted areas of his annual report.

8E. Michael Plank County Appraiser briefly discussed property appraisals prior to the new valuations being delivered to county property owners and mentioned the appeal process.

8G was 6C. Mr. Whitesel discussed the possibility of restructuring the districts to include a rural area in his district. Mr. Hoffman quoted statute 19-204 for reviewing the commission districts every 3 years. It was suggested to review in odd years to avoid the major elections.

Mr. Friesen stated previously there were nine options for them to consider. They tried to get a good balance of voters in all districts. He suggested locating a copy of the nine options and reviewing them.

**Mr. Whitesel** made a motion to table the discussion on restructuring districts until next year, it died for lack of a second.

**Mr. Friesen moved, seconded by Mr. Hirst,** to approve this resolution #2024-02; A RESOLUTION DIVIDING RENO COUNTY INTO COMMISSIONER DISTRICTS PURSUANT TO K.S.A. 19-204 setting a marker for next year's agenda meeting to look at options. The motion was approved by a roll call vote of 5-0.

**Mr. Friesen moved, seconded by Mr. Whitesel,** to approve the amended motion to remove the second whereas for February 7<sup>th</sup>, 2024, at this time and set a date to review. The motion was approved by a roll call vote of 4-1 with Mr. Whitesel opposed.

8H was 6J. **Mr. Hirst moved, seconded by Mr. Bogner,** to approve the Ward Davis Builders change order #1 Courthouse Renovation project in the amount of \$24,756.00. The motion was approved by a roll call vote of 4-1 with Mr. Whitesel opposed.

8I was 6K. Mr. Weishaar stated the Associated SOP documents was to update the state statutes having an annual fee of \$8,400 by Lexipol. The implementation and first year would only be paid for with ARPA funds. Future years will be paid for by each individual fire district.

Travis Vogt Reno County Fire Administrator was in attendance and spoke about purchasing a standardized policy and procedure platform from Lexipol. He said it would allow the eight rural fire districts to all operate under the same policy and procedure manual to ensure that each district is operating at scenes the same way. It is a big step towards standardizing the fire districts. It was worth the money for the updates since the state level was constantly making changes. **Mr. Whitesel moved, seconded by Mr. Friesen**, to approve the Associated SOP documents and fees as outlined by staff for \$8,400. The motion was approved by a roll call vote of 5-0.

8J was 6M. Approval of the updated Reno County Emergency Operations Plan (EOP) and the Chairman to sign the promulgation documents. This document is updated regularly to meet the Kansas Planning Standards. To make the plan official, it must be promulgated by the Commission prior to April 1, 2024, and once approved would be valid until 2030. Mr. Whitesel requested to change the three to five commissioners.

**Mr. Bogner moved, seconded by Mr. Hirst**, to approve the Reno County (EOP) and have the Chairman sign the promulgation document as outlined. The motion was approved by a roll call vote of 5-0.

Mr. Hoffman opened a discussion on a purchase agreement for the Nelson Heating and Air Conditioning building located at 211 W. 5<sup>th</sup> Avenue, Hutchinson, KS for \$300,000 and stated how they needed to close as soon as possible. ARPA funds would be used to move the EMS and remodel the building, giving the Health Department more space at their current location. EMS would house a second unit at this location also. **Mr. Hirst moved, seconded by Mr. Bogner**, to approve the purchase of Nelson Heating and Air building at 211 W. 5<sup>th</sup> Avenue using \$300,000 from ARPA funds. The motion was approved by a roll call vote of 5-0.

Mr. Parks gave a brief update on how this purchase came about.

9A. County Administrator Mr. Randy Partington inquired if there were any questions on any of the monthly department reports, there were none. He gave a reminder of the Quad County meeting on March 18<sup>th</sup>, 11:45 a.m. to 1:30 p.m. catered at the Cosmosphere with their CEO Jim Remar. If more than two Board members were attending, they would have to notify the public.

At 11:20 a.m. the meeting recessed for twelve minutes.

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

10. Commissioner Comments:

Mr. Parks stated that Mr. Friesen abstained from the beginning of the meeting, however he would like to speak on behalf of IdeaTek as a patron and not a commissioner at this time. He asked for grace to speak with the intent to have the Board understand the double standard since Reno County does support private businesses that want to expand. He spoke about the underserved people in the rural areas that IdeaTek was trying to reach with Fiber Optics. He reminded the Board that IdeaTek had not asked for funds and had indeed saved the county approximately \$150,000. The local match of \$25,000 IdeaTek was requesting would serve the area from 69<sup>th</sup> to 108<sup>th</sup> investing in our community with reliable internet connections. He told the Board this company was locally owned and was started by five Buhler High School students. Mr. Friesen left the meeting while the Board revisited the previous IdeaTek agenda item.

After a discussion **Mr. Hirst moved, seconded by Mr. Bogner**, to amend adding the item to the agenda. Mr. Hirst stated they were trying to be fair to all taxpayers and potential residents in our county. The motion was approved by a roll call vote of 4-0.

**Mr. Hirst moved, seconded by Mr. Bogner**, to approve \$25,000 from Reno County Economic Development fund for the grant to improve IdeaTek in rural areas. The funds would return to Reno County if IdeaTek was denied grant approval. The motion was approved by a roll call vote of 3-1 with Mr. Parks opposed.

Mr. Friesen returned to the meeting.

Commissioner comments:

Mr. Bogner attended a meeting on Friday regarding fencing laws for his own personal knowledge.

Mr. Hirst visited with Mr. Partington regarding the March 8<sup>th</sup> budget workshop. It had a fee of \$100 to attend the KACC workshop. He congratulated the FFA members, said SCKEED was showing progress with loans, he attended the Sylvia Council meeting, he would be signing up for the April KACC meeting, and thanked all who worked so hard on the Sanitation Code.

Mr. Whitesel spoke about a scam where someone was posing as an officer on the phone and stated that he did not want anyone to fall for it. He suggested hanging up and calling the police department to report a potential scam.

Mr. Parks spoke about the 1961 memorial at the Kansas State Fairgrounds. It would be relocated next to the White House Building after being refurbished. They will be installing it on a concrete pad between the domestic arts building and the white house. He offered all to come see the memorial after Memorial Day. He said Mr. Bogner, Mr. Partington and Mr. Hoffman had comments on solar regulations needing clarification and direction on commercial solar for zoned and unzone areas.

Mr. Hoffman noted that solar regulations for the zoned portion of the county would be before the commission soon, but other solar issues remained to be determined. The Commissioners directed staff to bring them options regarding solar regulations for consideration and discussion at a future meeting.

11. At 12:30 p.m. **Mr. Parks motioned** the Board into an executive session until 1:00 p.m. with County Administrator Randy Partington, County Counselor Patrick Hoffman, Director of Information Technology Mike Mathews, and Health Department Director Karla Nichols, the subject matter to be legal obligations of the county, and the justification for the executive session is to discuss confidential legal matters which are protected by attorney-client privilege, **seconded by Mr. Friesen**. The motion was approved by a roll call vote of 5-0.

**NOTE:** Public Works Director Mr. Brittain sent an email to the Board and staff stating the fence viewing had been resolved and should be taken off the calendar.

12. At 1:05 p.m. the agenda meeting recessed into the study session to discuss the proposals for the Landfill Methane Gas Project with Solid Waste Director Megan Davidson, VP and Project Engineer SCS Engineers Steve Linehan, and Project Manager Marilyn Jones.

The discussion began with the Request for Proposals (RFP) for companies interested in using the methane produced at the landfill for a project that might bring additional money to the landfill, while helping a private company. Three proposals were received and were reviewed by staff, Ms. Davidson, Mr. Hoffman, and Mr. Partington. The proposals were also shared with our consultants SCS Engineers, as they are contracted to oversee portions of the landfill dealing with air permits related to methane gases. There was a large discussion on two of the proposals, this item had no action taken today. The Board selected two members to meet with Ms. Davidson and SCS Engineers to discuss and clarify the proposals available then return to the Board.

At 1:55 p.m. the study session returned to regular session and adjourned until Wednesday, March 13th, 2024, at 9:00 a.m.

Approved:

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Chair, Board of Reno County Commissioners

(ATTEST)

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