

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3COvhxE>

December 21, 2021

The Board of Barton County Commissioners convened this 21st day of December 2021, at the Barton County Courthouse.

## *Members present:*

Kirby Krier, Commissioner, 1st District  
Barb Esfeld, Commissioner, 2nd District  
Shawn Hutchinson, Commissioner, 3<sup>rd</sup> District (Chairman Pro-Tem)  
James R. Daily, Commissioner, 4th District, Chairman  
Jennifer Schartz, Commissioner, 5th District  
Donna Zimmerman, County Clerk  
Barry McManaman, Interim County Administrator  
Patrick Hoffman, County Counselor

## **I. OPENING BUSINESS:**

Commissioner Daily called the meeting to order at 9:00 A.M.

Commissioner Schartz moved to approve the agenda.  
Commissioner Hutchinson seconded the motion.  
All voted aye. Motion passed.

Commissioner Schartz moved to approve the minutes of the December 7, 2021, Regular Meeting.  
Commissioner Hutchinson seconded the motion.  
All voted aye. Motion passed.

Minutes of December 14, 2021, Regular Meeting and the December 15, Special Meeting were not available.

## **II. APPROVAL OF APPROPRIATIONS:**

-An Accounts Payable Register will be submitted to the Commission for the period of December 7, 2021, and ending December 21, 2021.

Commissioner Schartz moved to approve appropriations for the period of December 7, 2021, to December 21, 2021 and authorize the Chairman to sign on behalf of the Commission.  
Commissioner Krier seconded the motion.  
All voted aye. Motion passed.

## **III. OLD BUSINESS:**

### **A. REQUEST FOR PROPOSAL: Risk Management and Insurance Request for Proposal:**

-Barton County received Risk Management and Insurance proposals for 2022 until 2:00 p.m., November 12, 2021. KCAMP, KWORCC and EMC Insurance Company presented proposals. Amy Miller, Emergency Risk Manager, reviewed the proposals with the Commissioners. This item was tabled on December 7, 2021.

Amy Miller, Emergency Risk Manager, said the County requested bids for liability, property, and worker compensation insurance. KCAMP, KWORCC and EMC all provided proposals.

Commissioner Krier moved to accept the \$299,783 proposal from EMC Insurance Company for Risk Management and Insurance for 2022, with an option to renew for an additional 2 years. Cost to be paid as follows:

For Property and Liability Coverage - General Fund, Insurance / Bonds Line, 001-18-5520 at \$195,114

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3COvhxE>

For Workers Compensation Coverage - Employee Benefit, Worker's Compensation Line, 007-00-5115 at \$104,669

and said I would like to discuss this before a second is offered because there are two other options. The two other options are KCAMP at \$357,857 is that correct and then what is the other option of EMC.

Commissioner Hutchinson said when they put this out for proposal EMC bid exactly what we had before, but the other firm put limits on that were similar to other counties surrounding us.

Commissioner Krier said he went with what we have had the past 20 years.

Commissioner Hutchinson said once we get past \$500,000 in liability, we have tort law that covers us in a lot of instances. I think there is probably a scenario where it wouldn't if and it could be taken to Federal Court but those instances would be the same as trying to get ourselves covered for getting struck by lightning.

Commissioner Krier said I think that some of the other stuff that I look at too is we are self-insuring ourselves on some of this here, like the Sheriff's Office and stuff. I thought it was a lot more money, but it seems to be somewhere between \$5,000 and \$10,000 a year is what the sheriff has problems with and I think we, as a county, we have a savings that we can absorb some of that. I think both, there's legitimate reasons to have any of those three. I believe the savings was a difference of about \$58,000. I mean we can use scenarios over and over and over that if this happened and this happened and this happened but it has not happened but yes it can, so I do not know.

Commissioner Schartz seconded the motion.

Commissioner Hutchinson suggested the county could look at setting a fund aside for the future.

Commissioner Krier said that is not a bad idea.

All voted aye. Motion passed.

## IV. NEW BUSINESS:

### A. COUNTY CLERK'S OFFICE: Request for Approval – Added / Abated / Escaped / Refunded taxes:

Donna Zimmerman, County Clerk, will present a listing of Added / Abated / Escaped / Refunded Taxes. Orders for these actions are kept on file in the County Clerk's Office. These are used to correct assessments and are requested by the County Appraiser's Office or the County Clerk's Office.

Donna Zimmerman, County Clerk, presented the following tax roll adjustments:

BATCH #2	VALUES	ESCAPED TAXES	ADDED / ABATED	REFUNDS
Gas				
Oil	(160,106)	\$54.60	(\$25,943.14)	\$2,602.44
Personal Property	(25,276)		(\$3,945.50)	
Real Estate	(58,893)		(\$11,297.60)	\$4,037.16
16/20 M Trucks	(1,720)		(\$128.20)	
State Assessed Utilities				
Special Assessments				
Grand Totals	(245,995)	\$54.60	(\$41,314.44)	\$6,639.60
Total Taxes	(\$41,259.84)			
Total Records Selected	120			

Commissioner Esfeld moved to approve the Listing of Added / Abated and Escaped / Refunded Taxes as reviewed by the County Appraiser and presented by the County Clerk's Office. Direct the Chairman to sign on behalf of the Commission.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3COvhxE>

## **B. COUNTY CLERK'S OFFICE: Cereal Malt Beverage License Renewals:**

-Per K.S.A. 41-2702, no retailer shall sell any cereal malt beverage without having secured a license for that business. When a business is located in the unincorporated portion of the County, that application shall be made to the Board of County Commissioners. Donna Zimmerman will present the applications for 2022.

Donna Zimmerman, County Clerk, said the Sheriff's Office completed background checks on all licenses. Zimmerman said Miller Time is purchasing two licenses, one for consumption on the premises and one for sales out the door. The Odin Store is purchasing a license for the Odin Store and one for the Prosser Arena.

Commissioner Krier moved to approve the 2022 Cereal Malt Beverage Licenses for the listed businesses to include Kiowa Kitchen (which is very good food), Lake Barton Golf Course, Miller Time LLC (2 licenses), Odin Community Club and Odin Store (2 licenses).

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

## **C. COUNTY APPRAISER: Neighborhood Revitalization Plan Update:**

-After adopting both a Resolution and the Interlocal Agreement supporting the Neighborhood Revitalization plan in September, 2021, the Interlocal was submitted to the Kansas Attorney General. The document has been approved.

Wendy Prosser, County Appraiser, said it is with great excitement that I get to announce that the Attorney General approved the Neighborhood Revitalization Plan. Any property owner will be able to apply for the tax rebate. Projects cannot have begun before January 1, 2022. Non-refundable \$20 application fee.

Minimum investment \$10,000 on residential property and it must increase the parcel's total value by 5%. Commercial property owners must make a \$20,000 minimum investment and increase the parcel's value by 10%.

Prosser said they received a couple of late requests from taxing entities who might opt to join later. Prosser mentioned the following entities as those they never heard from: Pawnee Rock Township, Walnut Township, Wheatland Township, Independent Library, Fairview Cemetery, Claflin Cemetery, Ellinwood Hospital District, USD 351 Rec Commission and USD 431 Rec Commission. Would like to hear from these entities as soon as possible about whether or not they wish to participate. Prosser explained that even if your taxing entity does not participate, you are still eligible to apply. Your rebate will not include that particular taxing entity, but you will be eligible for a rebate from the other participating entities.

Commissioner Daily commended Wendy Prosser and her staff for their hard work.

Commissioner Hutchinson gave a huge shout out to Commissioner Krier for mentioning county-wide NRP as well as Wendy (Prosser) and Barb (Commissioner Esfeld).

Commissioner Esfeld said the thanks should include Patrick (Hoffman).

Prosser said Donna (Zimmerman), Diana (Watson), Phil (Hathcock) and Patrick (Hoffman) all helped.

Commissioner Hutchinson asked for a simple example on how this may be used.

Prosser said if someone were to put up a detached garage, and if that increased the property value by \$20,000 (appraised value), they would receive a rebate based on new improvement amount. The first year will receive 95% of their paid tax on the garage. Prosser said that rebate will decrease as time goes on and will slowly go on the tax roll and grow the tax base.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3COvhxE>

rosser said she wanted to let the taxpayers affected by the windstorm last week that although your structure might have blown away, it is valued as of January 1<sup>st</sup>. She encouraged taxpayers to call their office to let them know if they experienced significant damages. For example, not for situations where a piece of tin blown away, but if the entire roof has blown off and it is no longer usable.

Information Only. No Action Required.

## **D. CAPITAL IMPROVEMENT AND EQUIPMENT REPLACEMENT PLANS:**

-Through the budgeting process, Barton County transfers cash, as savings, to both the Capital Improvement and the Equipment Replacement funds. Related plans, revised annually, allow the County to schedule for projected long-term expenditures.

Matt Patzner, Finance Officer, said the plan is split into two parts: the Capital Improvement and Equipment Replacement plans. Patzner requested approval for 2022 and the five years following.

Commissioner Schartz said we should approve the plans and take a hard look at it next year.

Commissioner Krier moved to adopt the Capital Improvement and the Equipment Replacement Plans for 2022.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

## **E. COMMISSION: Procurement Policy**

-Barton County seeks revisions to its procurement policy.

Sue Cooper, Grants and Compliance Manager, said this would rescind the resolution adopted last December. Cooper said this resolution would increase the spending threshold from \$2,000 to \$5,000. Vehicle and machinery repair would increase from \$5,000 to \$15,000. The definition of a single source item is updated. Internal procedures are now included that before were only listed in guidelines. Adding an additional procurement method for Job Order Contracting for when there is a variation of services and quantities by a vendor, such as plumbing services where we do not know when we will need the service or how often.

Commissioner Hutchinson moved to adopt Resolution 2021-28, a resolution establishing procurement policy and procedures for purchasing and sourcing for Barton County, Kansas and I would give Sue a big shoutout too. We are going to give a lot of credit today to people. I want to make sure everybody knows we do not do that unless they deserve it. I mean it has been a tough year for a lot of reasons for Barton County and Barton County employees. The bottom line is that we have accomplished a lot and you are going to start seeing some of those things we are putting in motion are going to last us a long time to come. For this one in particular, to me, this helps Barton County retailers for lack of a better word, or contractors get the opportunity to bid on these things and then we can look at it. One thing I have learned as a new commissioner is we are not always going to be able to go with our Barton County people because of whatever reason, sometimes it is just too expensive. But it gives everybody a chance to bid on this that offers those products or services we are looking for. To me, this is a big win for our county and gives us the opportunity to keep our money local when we can. We will rescind Resolution 2020-22. Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3COvhxE>

## **F. PUBLIC HEALTH: RFP – Lobby and Exam Room Chairs:**

-The Health Department, via Vendor Registry, released a Request for Proposal for Lobby and Exam Room Chairs. The Scope of the Proposal included the purchase of nineteen lobby chairs and five exam room chairs, all with urethane arm caps, steel frames, back of seat clean out and delivery and set-up. As bids were accepted until May 7, 2021, Public Health staff contacted vendors to determine the viability of bid prices.

Karen Winkelman, Health Director, said they were awarded an Epidemiology and Laboratory Capacity Enhancing Detection Supplement grant. Winkelman said they were so busy at the time and did not have time to work with the bids received. Winkelman noted the bids have increase slightly. The following bids were received for nineteen lobby chairs and five exam room chairs:

OPI \$20,072

Commercial Concepts and Furnishing \$15,181.31

Winkelman said both vendors bid the exact same product and noted the local bid is \$4,890.69 more than the low bid.

Commissioner Krier said this is Federal Grant funding.

Commissioner Krier moved to accept the bid from OPI for \$20,072 to purchase lobby chairs for the Health Department. Payment to be made from the ELC COVID-19 Expanded Infrastructure Grant, Equipment Line 006-73-6165, funded through the federal Paycheck Protection Program and Health Care Enhancement Act, awarded to Barton County by the Kansas Department of Health and Environment. Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

## **G. PUBLIC HEALTH: Mercer Insurance Proposal:**

-The Health Department, as a public health provider, must maintain adequate medical malpractice insurance. The County has received an insurance proposal from Mercer Consumer, a service of Mercer Health and Benefits Administration LLC for insurance coverage in the amount of \$4,823.00. Karen Winkelman will ask that the Commission approve this purchase.

Karen Winkelman, Health Director, said this is a renewal for medical mal-practice insurance.

Commissioner Hutchinson asked if anyone contacted Cassidy (Smith) for a quote. Miller said no, medical malpractice is a very narrow market and very expensive.

Winkelman said this is a group rate that includes other counties. Commissioner Hutchinson asked if this is the same insurance, they could provide for \$400. Commissioner Daily said they were mistaken. Commissioner Krier said there is two-million-dollar aggregate limit with this policy versus one million. Winkelman said the aggregate is three million.

Commissioner Schartz moved to purchase Medical Malpractice Insurance for the Barton County Health Department from Mercer Consumer, a service of Mercer Health and Benefits Administration LLC for coverage beginning January 1, 2022. The \$4,823.00 cost to be paid from the Health Department General Fund, Insurance/Bonds Line, 006-52-5520.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3COvhxE>

**i. INFORMATION TECHNOLOGY: Operating Improvements:**

-Office 365 Business enables all computer users to have email hosting, protection and archiving as well as a desktop version of Office. It is suggested that the Commission approve the purchase of licenses for up to 185 users.

Dereck Hollingshead, Information Technology Director, said it is time to renew our Microsoft 365 licenses. The following bids were received:

	Microsoft 365	Exchange Online	Microsoft Defender		Microsoft 365	
VENDOR	Business Standard	Archiving for Exchange Online	for Office 365 (Plan 1)	Office 365 E1	Audio Conferencing	Annual Total
True.Org Cloud	\$22,200.00	\$5,328.00	\$3,552.00	\$77.00	\$48.00	\$31,205.00
865it	\$24,697.50	\$5,927.40	\$3,951.60	\$85.44	\$42.72	\$34,704.66 11%
SHI	\$24,775.20	\$5,942.20	\$3,962.70	\$85.67	\$50.09	\$34,815.86 12%
HTI	\$25,345.00	\$6,105.00	\$4,070.00	\$87.00	\$51.00	\$35,658.00 14%
OPI	\$25,468.95	\$6,108.70	\$4,073.70	\$88.06	\$51.14	\$35,790.55 15%

Hollingshead reported the low bid was received from Tru.Org Cloud at \$31,205, 865it was 11% higher at \$34,704.66, SHI was third at 12% higher at \$34,815.86, HTI was next at 14% higher at 35,658 and OPI was 15% higher at \$35,790.55

Commissioner Hutchinson moved to purchase licensing of Office 365 Business Platform and Advanced Threat Protection from True.Org Cloud. Cost of service, \$31,205.00, is to be paid from the 2022 Budget, General Fund, Information Technology Department, Licensing Line, 001-24-5423.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

**I. DISTRICT CORONER: Appointment of Special Deputy Coroners:**

Dr. Patrick Stiles became District Coroner on November 1, 2020. Dr. Stiles has subsequently made recommendation as to the appointment of Special Deputy Coroners as prescribed by Kansas Statutes and by Resolution 2006-11, District Coroner. Special Deputies serve one-year calendar terms.

Barry McManaman, Interim County Administrator, said Dr. Stiles has recommended the annual appointments for Special Deputy coroners.

Commissioner Krier asked what the requirements for special deputy coroners are.

McManaman said they do not have the same requirements that a coroner or deputy coroner has.

Commissioner Esfeld moved to appoint the following Special Deputy Coroners for a term ending December 31, 2022:

For Barton County – Dustin Daniels, Scott Fleming, Meghan Kern, Sheila Phillips, Melissa Prosser, John Stettinger and Laura Webster

For Ellsworth – Shawn McGowan  
 Russell – Chris Venters and Ashley Fowler  
 Stafford – Melissa Dove and Doris Tompkins

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Commissioner Krier said he would like to do a shoutout to Dr Stiles and said he thinks everyone is realizing what a great doctor he is for Barton County.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3COvhxE>

## FIRE DISTRICT NO. 2: Appointment of a Board of Trustees:

-Per Resolution 2018-10, which created Fire District No. 2, the members of the Fire District Board of Trustees shall consist of not more than one (1) appointee from each participating township and not more than one (1) from each participating city. Trustee positions were advertised for Albion and Eureka Townships and for the Cities of Hoisington and Olmitz for terms expiring in 2023 and an unfilled position for South Homestead Township which would term in 2022. All terms are uncompensated.

Barry McManaman, Interim County Administrator, said advertisements were placed. McManaman said South Homestead had gone a year with no appointee and noted no applications were received from the City of Olmitz.

Fire District No. 2, consists of the Townships of Albion, Eureka, North Homestead, South Homestead and Union and the Cities of Hoisington, Olmitz and Susank. Current appointees include:

APPOINTMENT	REQUIREMENT	APPOINTED	TERMS
Brandon Yeakley	So Home Township	5/14/2018	12/31/2020
Sarah Younger	Albion Township	12/30/2019	12/31/2021
Michael McCurry	Eureka Township	12/30/2019	12/31/2021
Shannon Donovan	City of Hoisington	12/30/2019	12/31/2021
Curtis Peterson	City of Olmitz	12/30/2019	12/31/2021
Richard Lacey	No Home Township	12/28/2020	12/31/2022
Jackie DeBusk	City of Susank	12/14/2020	12/31/2022
Brian Bitter	Union Township	1/25/2021	12/31/2022

Commissioner Krier moved to appoint the following persons to the Board of Trustees for Fire District No. 2, County of Barton, Kansas. Said appointees shall serve for uncompensated terms:

Albion Township	Sarah Younger	terms December 31, 2023
Eureka Township	Michael McCurry	terms December 31, 2023
City of Hoisington	Shannon Donovan	terms December 31, 2023
City of Olmitz	(Does not have one)	
South Homestead Township	Richard Ward	terms December 31, 2022

Commissioner Krier said he knows almost all of these people and said they are going to be really good. Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

Barry McManaman said there are also three other entities whose terms are not up until December 2022:

North Homestead Township  
Susank City  
Union Township

## K. BOARD APPOINTMENT: Central Kansas Library System Board:

-The Central Kansas Library System supports library services in 17 counties in Central Kansas: Barton, Cloud, Ellis, Ellsworth, Jewell, Lincoln, Mitchell, Osborne, Ottawa, Pawnee, Phillips, Republic, Rooks, Rush, Russell, Saline, and Smith counties. The Central Kansas Library System Board meets twice a year to conduct the business of the System, to approve the budget, any resolutions, the system plan, and elect members to the Executive Committee. The Executive committee meets monthly to conduct the general business of the System. The County appointee must be a resident of the regional library system taxing district, this is, within Barton County but outside the district of any local legally established public library. Melissa Nech has applied for the four-year, uncompensated term.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3COvhxE>

Barry McManaman, Interim County Administrator, said for consideration is the reappointment of Melissa Nech.

Commissioner Krier moved to appoint Melissa Nech to the Central Kansas Library System Board for a four-year, uncompensated term. Term is set to expire April 30, 2025.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## **L. BOARD APPOINTMENT: The Center for Counseling and Consultation:**

-The County solicited applicants for The Center for Counseling and Consultation Governing Board. This Board reviews and makes recommendations on mental health services in Barton County and the surrounding area. Richard Bealer, Phil Hathcock and Commissioner Jennifer Schartz have reapplied.

Barry McManaman, Interim County Administrator, said Richard Bealer, Phil Hathcock and Commissioner Jennifer Schartz have all applied for reappointment.

Commissioner Hutchinson moved to appoint Richard Bealer, Phil Hathcock and the illustrious Commissioner Jennifer Schartz to The Center for Counseling and Consultation Governing Board. The unexpired positions, terming December 31, 2024, are uncompensated and would like to thank you Commissioner Schartz for taking this on.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Commissioner Schartz said she has been on the Center's board for 15-16 years.

Commissioner Krier commended Amy Miller for presenting the disaster declaration. Damages may be high enough to qualify for FEMA money. Miller said she reported it to the state. There is no sand on east/west roads now. Miller said it will probably be 2-3 weeks before we really have any idea of the damages. Miller said a lot of people were without electrical service for several days.

Commissioner Esfeld said we must use the low bid when spending Federal funds on an earlier item. Patrick Hoffman said he does not believe you have to use the lowest bid, but there are other factors. Commissioner Krier said we are using the low bid because we need them immediately. Sue Cooper, Grants and Compliance Manager, said immediate need is a qualifier for taking a higher bid.

## **M. EXECUTIVE SESSION: Personnel matters of non-elected personnel:**

-The Commission will enter into Executive Session. The Commission may invite such parties as needed into said Session. It is anticipated that the Commission will discuss contractual details relative to an employment position.

At 9:52 A.M. Commissioner Schartz moved that the Commission go into Executive Session until 10:15 A.M. in the Commission Chambers, Room 106. The subject to be discussed will be a contractual proposal. The justification for this to be discussed in Executive Session is to discuss personnel matters of non-elected personnel. Included in the discussion will be the Commission; Patrick Hoffman, County Counselor; Matt Patzner; Donna (Zimmerman) and Barry (McManaman). The Open Meeting will resume in this room at 10:15 A.M.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

At 10:15 A.M. Commissioner Hutchinson moved that the Commission come out of executive session.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.



# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3COvhxE>

At 10:16 Commissioner Hutchinson moved to go back into Executive Session for a period of 15 minutes with everyone in the room except the media (Commissioners, Matt Patzner, Patrick Hoffman, Barry McManaman, and Donna Zimmerman). The Open Meeting will resume in this room at 10:30 A.M. Commissioner Krier seconded the motion.  
All voted aye. Motion passed.

## **N. ACTION FROM EXECUTIVE SESSION: Personnel matters of non-elected personnel:**

-The Commission will make any necessary announcements as a result of the Executive Session. If necessary, further discussion or a decision may be made at this time.

At 10:30 A.M. Commissioner Schartz moved to come out of executive session.  
Commissioner Krier seconded the motion.  
All voted aye. Motion passed.

Commissioner Krier announced no action was taken.

Commissioner Schartz moved to add the following item to the agenda.  
Commissioner Krier seconded the motion.  
All voted aye. Motion passed.

## **ADDED ITEM: EMPLOYMENT AGREEMENT: Terming the Interim County Administrator Position:**

-On August 30, 2021, the Commission approved a contract for the position of Interim County Administrator with Barry McManaman, County Engineer. It is anticipated that the interim position and the accompanying agreement will be terminated at this time. Mr. McManaman will remain in his position as County Engineer.

Commissioner Daily said during Barry McManaman's time as Interim County Administrator, he has been faced with a tremendous amount of information to deal with but has done an outstanding job functioning in that capacity. Commissioner Daily presented Barry McManaman with a plaque in appreciation for his service.

Barry McManaman said he enjoyed his time and said it was a learning experience.

Commissioner Hutchinson moved to relieve Barry McManaman as Interim County Administrator and offer Mr. McManaman a tremendous amount of gratitude effective January 1, 2022.  
Commissioner Esfeld seconded the motion.  
All voted aye. Motion passed.

## **O. SERVICE AGREEMENT: Contractual Agreement for Employment:**

-It is anticipated that the Commission may offer a candidate a contractual agreement for employment.

Patrick Hoffman, County Counselor, said he will provide a contract for the Commissioners to sign.

Commissioner Schartz moved to extend Contractual Agreement for Employment to Matt Patzner at a rate of \$100,000.00 for the position of Barton County Operations Manager.  
Commissioner Krier seconded the motion.

Commissioner Krier said he will also continue to work as the Finance and HR Director.  
Patrick Hoffman explained the job title is actually Director of Operations in the contract.  
Commissioner Schartz agreed to amend her motion to Barton County Director of Operations.  
Commissioner Krier agreed to amend his second.  
All voted aye. Motion passed.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3COvhxE>

## V. ENDING BUSINESS:

1. Announcements
2. Appointments

## VI. OTHER BUSINESS:

There was no other business.

## VII. ADJOURN.

Commissioner Schartz moved to adjourn at 10:41 A.M.

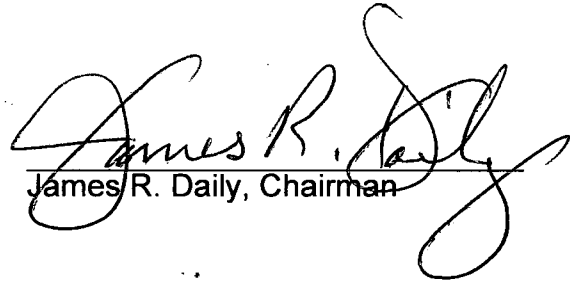
Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:



Donna Zimmerman  
Barton County Clerk



James R. Daily, Chairman

## RESOLUTION 2021-28

### A RESOLUTION ESTABLISHING A PROCUREMENT POLICY AND PROCEDURES FOR PURCHASING AND SOURCING

**Whereas**, the Board of County Commissioners of Barton County, Kansas, believes it is appropriate to update the policy regarding purchasing and sourcing for the County Administrator and Department Heads. This policy is strongly encouraged for elected officials, and

**Whereas**, the Board believes clarifying such issues will further Commission goals that County moneys be spent in an appropriate, responsible, and transparent manner, and

**Whereas**, such a policy has historically been described as a “Consent of Purchase Policy.”

**Now, Therefore, Be It Resolved** that the Board of County Commissioners, Barton County, Kansas establishes the following procedures for purchases and sourcing.

#### 1. **Definitions.**

- a. *Consumable goods* means a product that is routinely depleted. Examples include supplies such as paper, pens, file folders, computer disks, toner, ink cartridges, and similar items. Consumables also include such items as road and bridge materials, chemicals, medicine, perishable goods, and similar items. Consumable goods typically will have a life span of five years or less.
- b. *Equipment* means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds \$5,000.
- c. *Intangible property* means property having no physical existence, such as trademarks, copyrights, patents, and patent applications and property, such as loans, notes, and other debt instruments, lease agreements, stock, and other instruments of property ownership.
- d. *Micro-purchase* means a purchase of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold.
- e. *Personal property* means property other than real property. It may be tangible, having physical existence, or intangible.
- f. *Proposal* means a procurement method in which either a fixed price or cost-reimbursement type contract is awarded.
- g. *Real property* means land, including land improvements, structures, and appurtenances thereto, but excludes moveable machinery and equipment.
- h. *Sealed Bid* means a procurement method in which bids are publicly solicited, and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder.
- i. *Services* means an action performed by contractors, subrecipients, and other payees.
- j. *Supplies* means all tangible personal property other than those described in the definition of equipment in this section. A computing device is a supply if the acquisition cost is less than \$5,000, regardless of the length of its useful life.

2. **Initiation.** The procurement process is initiated by the County Commissioners, County Administrator, or by the requesting Department Head.
  
3. **Informal procurement methods.** When the value of the procurement for consumable goods, personal property, equipment, supplies, or services does not exceed \$5,000, informal procurement methods may be used. Barton County uses informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services include:
  - a. **Micro-purchases.** The acquisition of consumable goods, personal property, equipment, supplies, or services, the aggregate dollar amount of which does not exceed \$5,000, the micro-purchase threshold. To the maximum extent practicable, Barton County should distribute micro-purchases equitably among qualified suppliers.
    - i. **Micro-purchase awards.** Micro-purchases may be awarded without soliciting competitive price or rate quotations if Barton County considers the price to be reasonable based on research, experience, purchase history, or other information and documents it files accordingly.
    - ii. **Micro-purchase thresholds.** Barton County is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, risk evaluation, and its documented procurement process. The micro-purchase threshold is authorized by the Commissioners and is not prohibited under Federal, State, or local laws or regulations.
  
4. **Formal procurement methods.** When the value of the procurement for consumable goods, personal property, equipment, supplies, or services exceeds the threshold established by Barton County, or when purchase includes real property such as land and buildings, formal procurement methods are required. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold Barton County determines to be appropriate:
  - a. **Sealed Bids.** In order for sealed bidding to be feasible, the following conditions should be present:
    - i. A complete, adequate, and realistic specification or purchase description is available;
    - ii. Two or more responsible bidders are willing and able to compete effectively for the business;
    - iii. The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price;
    - iv. If sealed bids are feasible, the following apply:
      1. Bids shall be solicited from an adequate number of qualified sources, providing them with sufficient response time prior to the date set for opening the bids. The invitation for bids must be publicly advertised;

2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
  3. A firm-fixed-price contract award will be made in writing to the lowest responsive and most responsible bidder. Bids will be awarded to the lowest and/or best responsible bidder, considering conformity with the specifications, terms of delivery, and other conditions imposed in the bid. In addition to the price, the Commissioners will consider other factors, including but not limited to County and State resident businesses, quality, transportation, safety, adaptability, experience, and financial responsibility;
  4. Barton County reserves the right to reject any and all sealed bids and to award in the best interests of the County.
- b. **Request for Proposals (RFP).** Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:
- i. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;
  - ii. Barton County has a written method that provides bid and tabulation function and uniformity;
  - iii. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to Barton County, with the price and other factors considered;
  - iv. Barton County may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E), consultants, and professional services whereby the offeror's qualifications are evaluated, and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method where the price is not used as a selection factor can only be used in the procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort;
  - v. Barton County reserves the right to reject any and all proposals and to award in the best interests of the County.
5. **Non-competitive procurement.** There are specific circumstances in which non-competitive procurement may be used. Non-competitive procurement may only be awarded if one or more of the following apply:
- a. The acquisition of property, equipment, supplies, or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold of \$5,000;
  - b. The item is a consumable good;
  - c. The purchase of specific items of consumable goods generally does not require approval by the Commissioners at the time of purchase. The authorization for such purchases is implicit in the budget of the appropriate department for items such as road and bridge materials, chemicals, medicine, perishable goods, and similar items;

- d. The item is for the repair of vehicles and/or machinery and does not exceed \$15,000 or the vehicle or machinery's current estimated value, whichever is lower.
- e. The item is needed during an emergency situation. Emergency purchases may be authorized by the Commissioners or the County Administrator. The Commissioners or the County Administrator may determine if an emergency exists to authorize an emergency purchase;
- f. The Federal, State, or pass-through awarding agency expressly authorizes a non-competitive procurement in response to a written request from Barton County;
- g. The item is available only from a single source, whereas that justification may include one or more of the following situations:
  - i. After solicitation of a number of sources, competition is determined to be inadequate;
  - ii. Competition is precluded because of the existence of patent rights, copyrights, secret processes, control of the basic raw material(s), or similar circumstances;
  - iii. The procurement is for parts or components for equipment, and no information or data is available to ensure that the parts or components obtained from another supplier will perform the same function in the equipment, or the parts or components could compromise the safety or reliability of the product;
  - iv. The procurement could potentially void or invalidate a manufacturer's warranty, guarantee, or purchase agreement;
  - v. The procurement is for services from a provider with unique knowledge, skill, or ability not available from other sources;
  - vi. A distributor or service provider has an exclusive franchise or operating agreement with the supplier of goods to be purchased or maintained, and no other person or entity may provide, install, service or maintain the goods in the service area. This does not include the purchase of goods where the same or similar good may be purchased;
  - vii. The procurement is for goods and/or services where standardization is beneficial for reasons including maintenance, repair, training, and interoperability;
  - viii. The procurement is for goods and/or services where continuity of providers' efficiency or critical knowledge is preferable, and other providers of the goods and/or services cannot provide similar efficiency or critical knowledge.

6. **Job Order Contracting.** Job Order Contracting is a procurement method used for maintenance, repair, alteration, renovation, remediation, minor construction, or when the work is of a recurring nature, but the delivery times, type, and quantities of work required are indefinite. Barton County may award job order contracts for maintenance, repair, alteration, renovation, remediation, or minor construction if the work is of a recurring nature (multiple orders for items or services will be needed), but the delivery times are indefinite. Job Order Contracts may be awarded using sealed bidding or competitive proposals as appropriate.

7. **Grant procurement.** Procurement with grant funds must be administered according to Federal and State laws and regulations, the issuing entity's guidelines and grant agreement, and according to Barton County's Procurement Policy. Federal grant awards shall also follow the regulations and guidance set forth in §200.317 -§200.327 of the Uniform Guidance. Each award shall be examined for additional governance within the agency or program issue.
  - a. Subrecipients are subject to the same regulations, standards, and audits as the award pass-through agent (Barton County), and performance is measured against whether the objectives of the program are met. Barton County subrecipient monitoring for projects involving Federal funds shall also follow the regulations and guidance set forth in §200.317 -§200.327 of the Uniform Guidance.
  
8. **Publication.** Vendors may view solicitations, receive electronic notification, and submit bids/proposals electronically by utilizing software on the county website. The website also serves as the public bulletin board. Barton County will make every effort to ensure that bid/proposal information is posted to the website in a timely and accurate manner. All questions regarding bid/proposal opportunities should be forwarded to the contact person identified in the bid/proposal solicitation.

Barton County has a "purchaser subscription" to Vendor Registry under which vendors (businesses) receive the following services for free:

- **Register** with Vendor Registry
- **View** Barton County bids/proposals
- **Submit** bids/proposals to Barton County
- **Receive email notifications** for Barton County bids/proposals

Vendors do not have to be registered with Vendor Registry to view bids. They only have to register with Vendor Registry to submit bids electronically, and this service is free to the vendor. At the end of registering a business, vendors may be offered additional subscription services that are not necessary to respond to Barton County bids. If Vendors are interested in enhanced services, the vendor is responsible for the enhanced package subscription fees.

Additional solicitation methods may be utilized as necessary, including but not limited to publication in the designated county newspaper, on a physical public bulletin board (not electronic on the County's website), and by other means. Bids/proposals are accepted until the published deadline.

9. **Submission Procedures.** There are two submission options for formal procurement methods.

1) *Vendors may receive electronic notifications and submit bids/proposals electronically through Vendor Registry, a link found under the Procurement tab at [www.bartoncounty.org](http://www.bartoncounty.org).*

OR

2) *Bids/proposals may also be submitted via mail or courier in a sealed envelope, with the exterior marked with the Bid Number/Description, to the Barton County Clerk, 1400 Main Street, Room 202, Great Bend, KS 67530.*

Barton County will not consider any bids/proposals not prepared and not submitted in accordance with the provisions hereof and may waive any informalities or reject any and all bids/proposals. Any bids/proposals may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bids/proposals received after the time and date specified shall not be considered. Bids/proposals submitted after the closing date and time will be returned unopened. Bids/proposals may not be withdrawn within sixty (60) days after the actual date of the opening thereof.

10. **Opening and Tabulation.** Bids/proposals will not be opened until after the published deadline and at the time and place prescribed in the invitation. The bids/proposals must be opened publicly. Electronic bid/proposal submission software does not permit the opening prior to the published deadlines. Mailed bids/proposals will be received and date/time stamped in the County Clerk's office.

Following the deadline, bids/proposals may be opened by the initiating Board of County Commissioners, County Administrator, or Department Head, and anyone may attend.

The County Administrator or requesting Department Head will furnish tabulation sheets to the County Commissioners. Tabulation sheets will vary depending on the type of expenditure and may include such as information about delivery, installation, project timeline, product features, warranties, etc.

11. **Awarding Bids/Proposals.** Barton County reserves the right to reject any and all bids/proposals and award in the County's best interests. Barton County will award bids/proposals only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. In addition, consideration will be given to such matters as contractor integrity, compliance with public policy, a record of past performance, delivery, warranty, integration, and financial and technical resources.



Bid results are available by a written request. Please send requests to the Freedom of Information Officer (FIO).

Barton County cannot enter into contracts with vendors that have been suspended or debarred from participating in contracts supported with federal funds. For contracts over \$25,000 supported with federal funds, Barton County will verify that a vendor/contractor is not excluded or disqualified by either:

- Checking SAM ([www.sam.gov](http://www.sam.gov));
- Collecting a certification from that contractor; or
- Adding a clause or condition to the cover transaction with that contractor.

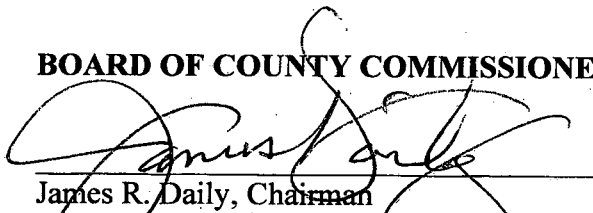
12. **False or Misleading Statements.** In the opinion of Barton County, if a vendor's bid/proposal contains false or misleading statements or references which do not support the function, attribute, capability, or condition of their company and the products and services outlined in their bid/proposal, their bid/proposal shall be rejected.
13. **Conflicts of Interest.** Barton County Commissioners, the County Administrator, Department Heads, and vendors shall list any current or potential clients or projects which may be (or cause) a conflict of interest in working for Barton County and describe the possible extent of the conflict.
14. **Modification of Bids/Proposals.** Modifications to bids/proposals already submitted will be allowed if submitted following the submission procedures before the deadline.
15. **Records.** Procurement records, including but not limited to the Request for Proposals (RFP), bids, tabulation sheets, final awards, purchasing information, and other supporting documents, will be maintained by the County Administrator or the requesting Department Head.

**FURTHER**, that nothing in this Resolution shall apply if in conflict with any Kansas statute and/or Federal law or regulation; and

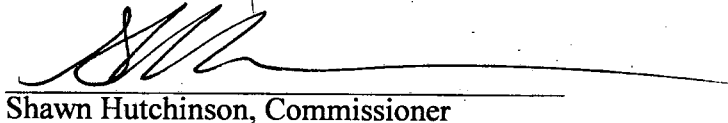
**FURTHER**, that Resolution 2020-22, A Resolution Establishing Consent of Purchases During Regular Commission Meetings, Adopted December 28, 2020, is hereby rescinded.


**Dated** this 21<sup>st</sup> day of December 2021.

**BOARD OF COUNTY COMMISSIONERS**

  
James R. Daily, Chairman

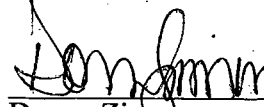
  
Barb Esfeld, Commissioner

  
Shawn Hutchinson, Commissioner

  
Kirby Krier, Commissioner

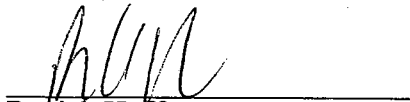
  
Jennifer Schartz, Commissioner

ATTEST:

  
Donna Zimmerman,  
County Clerk



APPROVED AS TO FORM:

  
Patrick Hoffman,  
County Counselor