

# 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/3Q7IHGv>.

March 5, 2024

The Board of Barton County Commissioners convened this 5th day of March 2024, at the 1500 Kansas location.

*Members present:*

Duane Reif, Commissioner, 1<sup>st</sup> District

Barb Esfeld, Commissioner, 2<sup>nd</sup> District, Chairman

Shawn Hutchinson, Commissioner, 3<sup>rd</sup> District

Tricia Schlessiger, Commissioner, 4<sup>th</sup> District, (*Chairman Pro-Tem*)

Bev Schmeidler, County Clerk

Matt Patzner, Director of Operations

Patrick Hoffman, County Counselor

*Members via phone:*

Donna Zimmerman, Commissioner, 5<sup>th</sup> District

## **I. OPENING BUSINESS:**

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

Commissioner Hutchinson moved to amend our agenda to include Item I, which is going to be Courthouse HVAC Improvement Project, Change Order 28, this has to do with the elevator upgrade.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

Commissioner Reif moved to approve the minutes of the February 27, 2024, Regular Meeting.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## **II. OLD BUSINESS:**

### **A. COMMISSION DISCUSSION: Quivira Water Rights Impairment Issue:**

-Commission Tricia Schlessiger will provide details on the Ground Water Management District 5 meeting held on February 15, 2024. The District has been working with the Natural Resources Conservation Service (NRCS) and its consultant, Olsson, to complete a Rattlesnake Creek Watershed Plan Environmental Impact Statement (Plan-EIS). The Plan-EIS should provide long-term agricultural water management and address the impairment of the U.S. Fish and Wildlife Service's (USFWS) senior water rights for Quivira National Wildlife Refuge (NWR). The draft Plan-EIS document has been submitted to NRCS for technical and administrative review. This is the final step before being presented to the public for review and comment. This item was tabled on February 27, 2024.

Commissioner Schlessiger attended the meeting February 15, 2024. Governor Kelly, Senator Moran and Senator Marshall all sent representatives and it was well attended. There was a January 25<sup>th</sup> call to water from the chief engineer and that was what the time frame was hinging on. They began working on the EIS in 2021 and anticipated another three to six months to review. The overall plan was to include a \$25 million dollar augmentation plan that would add wells to the south side of Quivira. They were hopeful that money would come from federal funding. There were salt issues with the water south of Quivira so they may have to take or purchase water from landowners. The chief engineer alleged that they were short 400 – 600 acre feet of water a year. Trying to seek a path forward with U.S. Fish and Wildlife Service. If the plan were to be approved and received federal funding from NRCS, the issue would be solved. In the meantime, everyone had their water rights for the growing year of 2024 but if a plan would not be reached, in 2025, the water rights would be reduced drastically. KNRC asked for one of the Barton County Commissioners to be designated to participate in the exploration of what KNRC could do to assist with the project.

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Commissioner Hutchinson asked Commissioner Schlessiger how she felt about one of them participating. Commissioner Schlessiger felt one of them should be a part of it.

Commissioner Hutchinson thanked her for attending and keeping them updated.

Commissioner Schlessiger said there would be an economic impact in our area.

Commissioner Reif said KNRC was good at working with everyone and were trying to find a solution.

Patrick Hoffman said he had read the KNRC letter and felt they had a good plan. They would propose ideas for the county to adopt or amend as needed.

Commissioner Esfeld said she liked the letter as well and that they would help develop a plan.

Commissioner Schlessiger said this was almost exactly like what happened with the Wet Walnut. They took water rights from people with senior water rights at that time.

Commissioner Hutchinson said he would nominate Commissioner Schlessiger to represent the commissioners.

## **III. NEW BUSINESS:**

### **A. RESOLUTION 2024-08: Annual Review of a Conditional Land Use Permit:**

-Judy Goreham, Environmental Manager, will provide details. On March 9, 2022, the Commission approved both the Zoning Amendment and the Conditional Land Use Permit applications for Larry and Sheree Marshall, dba Marshall Towing. The action was taken by the adoption of a Resolution for the property located at 514 SW 20 Road, located in the SE/4, Section 4, Township 20 South, Range 14 West. There is an annual requirement for review of all applicable licenses, compliance and testing to continue this approval.

Judy Goreham, Environmental Manager, asked for approval of the Conditional Land Use Permit for one more year. It was initially approved two years ago for Larry Marshall. Marshall must provide copies of his licenses, which he had done, as well as proof of liability insurance. Goreham also did an inspection of the property.

Commissioner Hutchinson moved to approve Larry Marshall's salvage yard for one more year, Conditional Land Use Permit.

Commissioner Esfeld said Resolution 2024-08.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

### **B. THE UNIVERSITY OF KANSAS HEALTH SYSTEM: Rural Hospital Innovation Grant:**

-Matt Patzner, County Administrator, will present details. The Rural Hospital Innovation Grant (RHIG) works to strengthen and improve the health care system and increase access to health care services in eligible counties in order to help communities achieve and maintain optimal health. Funds are to be used at a hospital within the county for transitional assistance in changing a hospital's current health care delivery model to a more appropriate model that the hospital serves. As submitted by Barton County, the University of Kansas Health System application centers on a remodel of the pharmacy on the Great Bend Campus to create code-compliant sterile and non-sterile environments for compounding hazardous and nonhazardous intravenous (IV) medications. In addition to approval of the grant application, the County will consider approval of a Memorandum of Agreement outlining duties for each agency.

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Matt Patzner, County Administrator, presented details and introduced Tim Latimer and John Worden from the University of Kansas Health System.

Tim Latimer, UKHS Controller, said the funding came from remaining COVID money and it had been allocated to Kansas counties with the exception of Wyandotte, Johnson and Sedgwick. They wanted to use the funding for a pharmacy remodel meeting government regulation to compound medications.

John Worden, UKHS Administrator/CEO, said the federal funds were allocated to the states, and were to be utilized to meet conditions federally set. By doing this remodel, they would be able to do higher level quality injectable products. The timeline was very short, and funds were limited to around \$5 to \$6 million. The project must start and end this calendar year. The grant applications had a requirement that they be supported by counties.

Commissioner Hutchinson said Worden was very helpful when COVID vaccines began a few years ago.

Commissioner Hutchinson moved to approve the submission of the Rural Hospital Innovation Grant to the Kansas Department of Health and Environment as well as the Memorandum of Agreement outlining responsibilities.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

## **C. HEALTH DEPARTMENT: Request for Proposal – Remodel of Clinical / Nurse's Station Area:**

-Mr. Patzner will provide details. Barton County sought an experienced and qualified construction firm, licensed in the State of Kansas, to remodel the clinical/nurse's station area at the Barton County Health Department. Proposals were accepted until February 20, 2024. Brentwood Builders and Icon Structures Inc both submitted proposals.

Matt Patzner, County Administrator, presented details and said there were two bids received. Brentwood Builders bid \$182,748.00 and Icon Structures Inc. bid was \$179,636.00.

Commissioner Esfeld asked Patzner if the grant would only pay for the low bid. Patzner said there was nothing saying it had to be the lowest bid. The grant would cover \$145,000.00 of the costs.

Commissioner Esfeld said the bids were very close and it was nice to use local companies.

Commissioner Hutchinson said if Brentwood could get the job done in the allotted time, it would be good to use a local contractor.

Patzner said Karen Winkelman had asked Brentwood and they could get it completed in the allotted time.

Commissioner Reif said it was great to keep things local when possible.

Commissioner Zimmerman moved to approve the \$182,748.00 bid from Brentwood Builders. Payment to be made as follows – Health Fund, ELC Grant, Contractual Services Line, 006-73-5465 - \$145,000.00 and Capital Improvement Fund, Buildings and Fixed Equipment Line, 071-00-6326 - \$37,748.00.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## **D. PROCLAMATION 2024-01: Severe Weather Preparedness Week, March 4 – 8, 2024:**

-Sean Kelly, Emergency Management Director, will present details. Severe Weather Preparedness Week, March 4 – 8, 2024, is a cooperative effort of the National Weather Service, the Kansas Emergency Management Association and local county emergency management agencies. Barton County

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Emergency Management reminds everyone to be prepared for the spring severe weather season. The proposed Proclamation encourages individuals, businesses and communities to plan and prepare for an emergency.

Sean Kelly, Emergency Management Director, said we were in the midst of Severe Weather Preparedness Week. Getting prepared for spring weather and fire season starting. 2023 storm season was not as active as 2022. There were 44 tornadoes across the state in 2023, ranging from EF unknown to EF-2. Last July, the supercell that pushed through came with four-inch hail and wind gusts up to 85 mph in Great Bend. Statewide Tornado Drill will be Wednesday, at 11:00 A.M. Storm Fury on the Plains would be March 26<sup>th</sup>, 6:30 P.M., at the Crest Theater.

Commissioner Esfeld asked Kelly if Emergency Managers in the area had something in place if help was needed in the events of fires and severe weather. Kelly said there were mutual aid agreements between fire departments.

Commissioner Reif asked about a burn ban. Kelly said the fire chiefs in the county usually get together and request one when necessary. Rain was forecasted for later in the week.

Commissioner Reif moved to adopt Proclamation 2024-01, Severe Weather Preparedness Week, March 4 – 8, 2024.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

## **E. REQUEST FOR PROPOSAL: 2024 Highway Striping Project:**

-Barry McManaman, County Engineer, will provide details. Barton County accepted proposals for the 2024 Highway Striping Project until February 21, 2024. Work includes centerline and edge line striping on approximately 95 miles of County roadway. Straight-Line Striping, Inc. submitted unit prices for the estimated quantity of both white and yellow paint, as well as the glass beads that provide reflectivity to the striping. The actual quantities of each material used by the contractor will be paid at the unit prices submitted. There were no other bidders.

Barry McManaman, County Engineer, said after Road & Bridge completes their overlay work and chip seal work in the summer months, a contractor comes in and stripes the pavement markings. Only one bid was received from Straight-Line Striping, Inc. from Grand Island, Nebraska. There will be approximately 95 miles of road to be striped.

Commissioner Hutchinson asked McManaman if that was the same company as last year. McManaman said it was and they had done it for several years. McManaman had been with the county for the last eight years and Straight-Line did it before that time as well.

Commissioner Hutchinson said we had always been very happy with the product.

McManaman said a couple of years ago, he solicited input from a few companies he was aware of to see if there was any interest in bidding for the project. One of the companies told him that was a really good price, and they could not beat it.

Commissioner Reif asked McManaman if the work was in the northwest part of the county this year. McManaman said the area was basically north of K-96 and west of 281 highways and Susank Road.

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Commissioner Reif moved to award the contract for the 2024 Highway Striping Project to Straight-Line Striping, Inc. for the bid price of \$130,892.75. Bid cost to be paid from the Road and Bridge Fund, Contract Construction Line, 002-92-6250. In addition, authorize the Commission Chairman to sign the Notice of Award and the Project Agreement.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## **F. ROAD AND BRIDGE: 2024 Cold Mix Asphalt Contract:**

-Darren Williams, County Works Director, will provide details. The Road and Bridge Department accepted bids until February 22, 2024, for the 2024 Cold Mix Asphalt Contract. The bid specified mixing approximately 20,000 tons of cold mix asphalt material, with the County furnishing all aggregate and asphalt oil. Using the County specifications, the contractor will be required to mix asphalt at the South Washington pit. Venture Corporation provided the only bid at \$9.60 per ton. Funding was included in the 2024 Budget for this anticipated expense.

Darren Williams, County Works Director, said only one bid was received from Venture Corporation. They plan to start around the first part of May and finish mid-May. Williams asked for approval of the bid.

Commissioner Hutchinson moved to approve the 2024 Cold Mix Asphalt Contract for up to 20,000 tons of cold mix asphalt material from Venture Corporation at a cost of \$9.60 per ton. Cost to be paid from the Road and Bridge Fund, Contract Construction Line, 002-92-6250. Authorize the Commission Chairman to sign the Notice of Award and the Agreement.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

## **G. MEMORIAL PARKS AND CEMETERY: Mowing Proposals:**

-Mr. Williams will provide details. The County accepted proposal for mowing the Barton County Memorial Parks and Cemetery, to include Golden Belt and Hillcrest. Proposals were to include pricing for 2024, 2025 and 2026, with bi-weekly mowings between April 15 through October 31 of each year and special consideration given prior to Memorial Day and funerals. Three bids were received. Monies have been included in the Cemetery Fund for this anticipated expense.

Darren Williams, County Works Director, said three bids were received. James Bingaman, Mow-N, bid \$13,000.00 annually and provided certificate of insurance. Good Boys Mowing, Brogan and Gage Unruh, bid \$10,000.00 for 2024; \$10,500.00 for 2025; and \$10,750.00 for 2026 with no certificate of insurance provided. Workforce Partners LLC – Alfonso Villa, bid \$46,540.00 annually. Williams asked for approval of Mow-N. Bingaman also mows the islands on Broadway as well as other contract mowing.

Commissioner Hutchinson said he had someone reach out regarding artificial flowers getting picked up from the cemeteries. Some were placed as such to make mowing difficult. This person had voluntarily picked up remaining flowers and said they gathered 32 55-gallon bags of flowers at different times. This individual proposed a sign stating flowers needed to be picked up within 10 days following a holiday between May 1 and October 31 each year.

Williams said that was a part of the bylaws.

Commissioner Hutchinson said it was nice when a constituent came with a problem and also offered a solution. The constituent volunteered the Evening Lions Club to collect the flowers but asked that it be published in the newspaper when they would be doing so.

Williams said the flowers in vases could remain but last year, the group pickup up everything and his department received backlash due to everything being collected. Williams said before mowing season

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started, his staff could go out and clean up the area. They put things behind the shed and families were welcome to retrieve them if desired.

Commissioner Esfeld asked Williams if he could go ahead and put the sign up. Williams said they would.

Commissioner Reif said that was standard practice for cemeteries because they must mow.

Andrew Murphy, Great Bend Tribune, said he was privy to letters to the editor regarding the cemetery. Some of the concerns were about Veteran's Day and decorations.

Commissioner Hutchinson said the time frame would be between May 1 and October 31.

Commissioner Schlessiger moved to approve the \$13,000.00 annual bid for Mowing Seasons 2024, 2025 and 2026 to Mow-N. Cost of service to be paid from the Cemetery Fund, Maintenance of Buildings, Grounds and Improvements Line, 004-92-5515-98.

Commissioner Reif seconded the motion.

All voted aye. Motion passed.

## ***No Executive Session Held***

### **H. EXECUTIVE SESSION:**

-Chairman Barb Esfeld will present. Any Commissioner may make a motion for the board to recess to executive session at this time as allowed by K.S.A. 75-4319. Any motion must contain the justification for the executive session, the subject matter to be discussed, any individuals in addition to the board who will attend the executive session and the time at which the regular session shall resume.

### **I. COURTHOUSE HVAC IMPROVEMENT PROJECT: Change Order 28 – Elevator Upgrades:**

-Mr. Patzner will present details. Barton County has received notice of certain needed updates to the Heating, Ventilation and Air Conditioning improvement project. Specific to Change Order 28 is work directly related to the installation of a new elevator.

Matt Patzner, County Administrator, said this was corresponding the general contractor and electrical work to facilitate the elevator upgrade.

Commissioner Reif said we were not just changing the elevator to get a new one. There had been issues for some time with the old elevator and spending a lot of money for service work.

Patzner said there were chronic problems with the elevator. It was down about every other week for quite some time. The modernization would not increase the size of the elevator, but we would have one that worked, and maintenance costs should go down.

Commissioner Schlessiger said this would also bring it up to code. Patzner said that was correct.

Commissioner Reif moved to approve the following Change Order 28 for the Courthouse HVAC Improvement Project. Cost to be paid to Kruse Construction from the Capital Improvement Fund, Building and Fixed Equipment – General Line, 071-00-6305.

Orders Reason	Amount
No. 28	Elevator MEP Upgrades \$67,311.66

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

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## IV. ENDING BUSINESS:

1. Announcements
2. Appointments

## V. OTHER BUSINESS:

There was no other business.

## VI. ADJOURN:

Commissioner Hutchinson moved to adjourn at 9:44 A.M.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler  
Barton County Clerk



Barb Esfeld, Chairman