

MCPHERSON COUNTY COMMISSION MEETING MINUTES  
April 19, 2021

April 19, 2021  
9:00 a.m. Regular Meeting  
All Present

At 9:00 a.m., Chairman Becker opened the regular meeting. Commissioner Kueser made a motion to approve the agenda for April 19, 2021 as presented. Commissioner O'Dell seconded. **All voted aye.**

During Public Input at 9:00 a.m., Sheriff Jerry Montagne updated Commissioners on current jail counts and recent department activities.

Commissioner Kueser made a motion to approve the minutes for April 12, 2021 as presented. Commissioner O'Dell seconded. **All voted aye.**

At 9:05 a.m., Chairman Becker asked if anyone present would like to speak about commercial solar energy projects. Several members of the public, including residents and industry professionals shared their comments, concerns, and questions with the Commissioners.

At 9:20 a.m., Brian Bina, County Counselor, joined the meeting and requested fifteen (15) minutes of attorney/client privilege in executive session, including Rick Witte, County Administrator/Financial Manager, with discussion of potential litigation matters. Commissioner Kueser made a motion to go into executive session as requested. Commissioner O'Dell seconded. **All voted aye. No action was taken in executive session.**

Mr. Bina addressed the Commissioners in open session and requested permission to file a lawsuit against Berry Tractor and other related entities, due to their failure to repair Public Works equipment, specifically the electronics on the oil distributor. Commissioner O'Dell made a motion to approve the request as presented. Commissioner Kueser seconded. **All voted aye.**

At 9:35 a.m., John Verssue, Planning/Zoning/Environment Administrator, joined the meeting to present Case ZA2020-3 regarding the modification of the zoning amendments to include commercial solar energy projects. The case was previously approved unanimously by the Board of Planning and Zoning Appeals (BOPZA). Chairman Becker read the options for action by the County Commissioners. Commissioner Kueser made a motion to override and disapprove the recommendation by the BOPZA on Case ZA2020-03. Commissioner O'Dell seconded. **All voted aye.** Next, Resolution 2021-07 was presented and summarized by Chairman Becker. The resolution will establish a moratorium on commercial solar energy projects in McPherson County, KS. From this date, and for an indefinite period, there will be no acceptance nor processing of applications for conditional use permits in connection with solar energy electrical generating projects. Commissioner O'Dell made a motion to sign Resolution 2021-07 as presented. Commissioner Kueser seconded. **Chairman Becker voted aye. Commissioner Kueser voted aye. Commissioner O'Dell voted aye.**

At 9:45 a.m., Kim Romero, County Appraiser, joined the meeting and requested ten (10) minutes of executive session, including Mr. Witte, to discuss non-elected personnel in the Appraiser's Office. Commissioner O'Dell made a motion to go into executive session as requested. Commissioner Kueser seconded. **All voted aye. No action was taken in executive session.**

At 10:00 a.m., Janet Cagle, Director of Harvey/McPherson Counties Community Corrections, joined the meeting to request approval and signature on the following: 9<sup>th</sup> JD FY 22 Grant Application, Interlocal Agreement for Community Corrections, IIP Agreement, JCAB Grant Request for Harvey County, FY 22 Juvenile Reinvestment Budget, FY 22 OVM Reinvestment MOU for Harvey County, FY 22 Adult Grant Application, FY 22 Adult Attachments, Attachment B.2 Revised, and Budget Workbook for Adult and Juvenile Funds. Following review and discussion, Commissioner O'Dell made a motion for the Chairman to sign the documents as presented. Commissioner Kueser seconded. **All voted aye.**

Commissioner Kueser made a motion to approve checks and claims, and encumbrances for April 19, 2021 and payroll for pay period ending April 17, 2021 as presented. Commissioner O'Dell seconded. **All voted aye.**

Commissioner Kueser made a motion to approve adds and abates for April 16, 2021 as presented. Commissioner O'Dell seconded. **All voted aye.**

At 10:23 a.m., Tom Kramer, Public Works Director, joined the meeting to request approval to purchase a 2021 Caterpillar Model 150-15AWX Motor Grader. Following a review of bids and discussion, Commissioner O'Dell made a motion to purchase the Caterpillar Grader from Foley Tractor in an amount not to exceed \$356,857.60. Commissioner Kueser seconded. **All voted aye.**

At 10:30 a.m., discussion took place with representatives from all McPherson County Ambulance Service Providers to address present and future concerns regarding their operation and funding. No action was taken.

Commissioner Kueser made a motion for the Chairman to sign a corrected Personnel Change Notice for John Verssue, Planning/Zoning/Environment Administrator, as presented. Commissioner O'Dell seconded. **All voted aye.**

At 12:30 p.m., Commissioner Kueser made a motion to adjourn the meeting. Commissioner O'Dell seconded. **All voted aye.**

Minutes recorded by Rick Witte.

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Keith Becker, Chairman

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David O'Dell, Vice Chairman

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Thomas L. Kueser, Commissioner

ATTEST:

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Hollie D. Melroy, County Clerk