

MCPHERSON COUNTY COMMISSION MEETING MINUTES
December 20, 2021

December 20, 2021
9:00 a.m. Regular Meeting
All Present

Chairman Becker opened the meeting at 9:00 a.m. One item was added to the agenda: County Counselor, Executive Session for Attorney/Client Privilege. Commissioner O'Dell made a motion to approve the agenda for December 20, 2021, as amended. Commissioner Kueser seconded. **All voted aye.**

At 9:05 a.m. during Public Input, Sheriff Jerry Montagne joined the meeting to update Commissioners on the current weekly jail count and department activities. Sheriff Montagne also presented a Personnel Change Notice (PCN) to end the introductory status of Thomas Massa, Correctional Officer, effective December 12, 2021. Commissioner O'Dell made a motion for the Chairman to sign the PCN as presented. Commissioner Kueser seconded. **All voted aye.**

Nick Reinecker, Inman, appeared during Public Input to express his concerns and shared his views regarding the Opioid Settlement Representation by the Attorney General option being presented by the County Counselor later in the meeting.

Also during Public Input, Ronn Peters, McPherson, announced that volunteers are still needed for the Annual Community Christmas Dinner.

Commissioner O'Dell made a motion to amend the minutes of November 22, 2021 regarding a correction to the "CHS Third Addendum" item to be changed from a Resolution to a Settlement Agreement. Commissioner Kueser seconded. **All voted aye.**

Commissioner O'Dell made a motion to approve the minutes for December 13, 2021, as presented. Commissioner Kueser seconded. **All voted aye.**

At 9:17 a.m., Tom Kramer, Public Works Director, joined the meeting to request approval of a PCN to end the introductory period for Curtis Mader, Project Engineer, effective December 26, 2021. Commissioner Kueser made a motion for the Chairman to sign the PCN as presented. Commissioner O'Dell seconded. **All voted aye.**

At 9:22 a.m., Jeff Butler, County IT Coordinator joined the meeting to request approval to purchase a Sentinel Advanced Intrusion Prevention System for three (3) critical outposts within the County. Following discussion, Commissioner O'Dell made a motion to approve the one-time system cost not to exceed \$5,666.85, and the monthly managed threat protection and support in an amount not to exceed \$1,762.00 as presented. Commissioner Kueser seconded. **All voted aye.**

At 9:30 a.m., Brian Bina, County Counselor, joined the meeting. Commissioner O'Dell made a motion to go into executive session for ten (10) minutes, including Counselor Bina and Rick Witte, County Administrator/Financial Manager for attorney/client privilege regarding ongoing litigation matters. Commissioner Kueser seconded. **All voted aye. No action was taken in executive session.**

Counselor Bina presented a proposed resolution, establishing a moratorium on commercial solar energy projects in McPherson County. Commissioner Kueser made a motion to approve and sign Resolution 2021-29 as presented. Commissioner O'Dell seconded. **Chairman Becker voted aye. Commissioner Kueser voted aye. Commissioner O'Dell voted aye.**

Counselor Bina also presented information about Opioid Settlements and the Kansas Fights Addiction Act. Following discussion of options, Commissioner Kueser made a motion to select option #1, to utilize the State Attorney General's Office to represent McPherson County in opioid harm related settlements. Commissioner O'Dell seconded. **All voted aye.**

At 9:50 a.m., Hollie Melroy, County Clerk joined the meeting. Commissioner Kueser made a motion to go into executive session for ten (10) minutes including Ms. Melroy and Mr. Witte to discuss non-elected personnel in the Clerk's office. Commissioner O'Dell seconded. **All voted aye. No action was taken in executive session.**

In open session, Ms. Melroy presented the following three PCNs:

- A. A request to approve the end of introductory period for Camen Nordstrom, Clerk I, effective December 13, 2021.
- B. A request to approve the promotion of Colleen Yarosh to Deputy Clerk, effective December 26, 2021.
- C. A request to approve the job and title change to Clerk II for Jennifer Crouch, effective December 26, 2021.

Commissioner Kueser made a motion to approve the PCNs as presented. Commissioner O'Dell seconded. **All voted aye.**

At 10:01 a.m., Greg Benefiel, County Attorney, joined the meeting to discuss the following items: update on monthly case numbers and type; a request to retain a fourth attorney; the need for additional staff (Trial Assistant); and a new parental leave policy for his office staff. Other items including budget and attorney salary adjustments were described in his agenda presentation documents for Commission review. Following discussion, Commissioner Kueser made a motion to allow the retention of the fourth attorney, Torrance Parkins, until March 31, 2022. Commissioner O'Dell seconded. **All voted aye.** It was a consensus among Commissioners to table the other items in order to further discuss additional information to be obtained from Mr. Benefiel regarding salary and case comparisons with other counties. The items will be addressed at the January 10, 2022 Commissioner meeting.

At 10:35 a.m., Kim Romero, County Appraiser, joined the meeting and requested ten (10) minutes of executive session to discuss non-elected personnel in the Appraiser's office. Commissioner Kueser made a motion to go into executive session, including Ms. Romero and Mr. Witte as requested. Commissioner O'Dell seconded. **All voted aye. No action was taken in executive session.**

Commissioner O'Dell made a motion to approve adds and abates for December 17, 2021 as presented. Commissioner Kueser seconded. **All voted aye.**

Commissioner Kueser made a motion for the Chairman to sign four (4) Cereal Malt Beverage Licenses as presented including: 365 Sports Complex LLC; Rolling Acres Golf Course; Lindsborg Golf Course; and Canton Grocery LLC. Commissioner O'Dell seconded. **All voted aye.** Licenses will expire December 31, 2022.

Commissioner Kueser read aloud a Proclamation of a State of Local Disaster Emergency for McPherson County regarding a severe weather event which began May 15, 2021. Commissioner

O'Dell made a motion to sign the proclamation as presented. Commissioner Kueser seconded. **All voted aye.**

Commissioner Kueser made a motion for the Chairman to sign, as presented, an IRB Notice and Consent Letter involving PrairieLand Partners/CTI Real Estate LLC. The request for consent is due to a corporate merger with AgriVision Equipment Group, LLC (AVE) resulting in a change in the Tenant and Subtenant. Commissioner O'Dell seconded. **All voted aye.**

Commissioner O'Dell made a motion to approve and sign as presented, proposed Resolution 2021-30, authorizing the establishment of an E911 Capital Reserve Fund and the transfer of funds to/from operational funds to/from reserve funds. Commissioner Kueser seconded. **Chairman Becker voted aye. Commissioner Kueser voted aye. Commissioner O'Dell voted aye.**

Commissioner Kueser made a motion to approve and sign, as presented, a proposed resolution, granting IRB tax incentives to Plastic Extrusion Machinery LLC (PEM) at \$14,000,000 (100% for 10 years) with an effective date of January 1, 2022. Commissioner O'Dell seconded. **Chairman Becker voted aye. Commissioner Kueser voted aye. Commissioner O'Dell voted aye.**

At 11:10 a.m. Commissioner O'Dell made a motion to adjourn the meeting. Commissioner Kueser seconded. **All voted aye.**

Minutes recorded by Abbey Heidebrecht

Keith Becker, Chairman

David O'Dell, Vice Chairman

Thomas L. Kueser, Commissioner

ATTEST:

Hollie D. Melroy, County Clerk