

Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon 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
 Requests to be made pursuant to the Kansas Open Records Act and County Policy. Estimated cost of disk – Five Dollars (\$5.00).

February 12, 2018

The Board of Barton County Commissioners convened this 12th day of February 2018, at the Barton County Courthouse.

Members present:

- Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)
- Homer Kruckenberg, Commissioner, 2nd District
- Don Davis, Commissioner, 3rd District
- Alicia Straub, Commissioner, 4th District
- Jennifer Schartz, Commissioner, 5th District, Chairman
- Donna Zimmerman, County Clerk
- Phil Hathcock, Operations Director
- Carey Hipp, County Counselor

I. OPENING BUSINESS:

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

Commissioner Straub moved to approve the agenda.
 Commissioner Schremmer seconded the motion.
 All voted aye. Motion passed.

Commissioner Schremmer moved to approve the minutes of the Monday, February 5, 2018, Regular Meeting.
 Commissioner Straub seconded the motion.
 All voted aye. Motion passed.

II. OLD BUSINESS:

There was no old business.

III. 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 #9				
Property Types	Values	Escaped Taxes	Added / Abated	Refunds
Gas				
Oil				
Personal Property	-4,029		-\$ 712.00	\$ 94.08
Real Estate	-1,438		-\$ 292.02	
16/20 M Trucks	-1,246		-\$ 174.00	\$138.00
State Assessed Utilities				
Special Assessments				
Grand Totals	-6,713		-\$1,178.02	\$232.08
Total Taxes	-\$1,178.02			
Total Records Selected	18			

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Commissioner Straub moved to approve the Listing of Added / Abated / Escaped and Refunded Taxes as reviewed by the County Appraiser and presented by the County Clerk and direct the Chairman to sign on behalf of the Commission.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

B. APPRAISER'S OFFICE: Bulk Mailing – Valuation Notices:

-After reviewing options, the Appraiser's Office has determined that using Mail Services, LLC to create valuation notices, mailing labels and envelopes is the most effective method for printing and mailing.

Barbara Esfeld, County Appraiser, presented the following quotes:

Komtek	\$9,976.76
Mail Services LLC	\$7,352.00
Postalcity	\$9,207.00 quote received late Friday

The Mail Services bid is \$2,624.76 less than Komtek (the company that was used last year) and is \$1,409.50 less than what was actually paid last year. The County Treasurer's Office used Mail Services this year to send the County's tax statements.

Jim Jordan said Mail Services LLC was a good company to work with.

Esfeld said Mail Services won't require multiple payments. They will bill one time for what is mailed out so the bid may be a little more or less. Esfeld said if they were to mail "in-house", materials only would cost approximately \$10,000.

Commissioner Schremmer moved to hire Mail Services at an estimated amount of \$7,352.00 for bulk mailing Certificates of Valuation Notices for 2018. Cost to be paid from the Appraiser's account of the General Fund, Professional Service Fee's Line – 001-14-5475.

Commissioner Straub seconded the motion.

All voted aye. Motion passed.

C. COUNTY ENGINEER: Federal-Aid Fund Exchange Master Agreement – Supplemental Agreement No. 1:

-The County Commission approved the Federal-Aid Fund Exchange Master Agreement on April 25, 2016. The agreement allows the exchange of the County's annual allotment of Federal road and bridge funds for State funds. Beginning in the current federal fiscal year, the Kansas Department of Transportation (KDOT) will no longer allow for banked funds and the exchange rate will be reviewed and established annually. KDOT is asking the County to approve the Supplemental Agreement which details the revisions.

Barry McManaman, County Engineer, said Barton County has participated in the exchange program for several years. Supplemental Agreement No. 1 removes references to the banking of funds and stipulates that KDOT will establish the exchange rate every year. McManaman said the exchange rate will no longer be 90% and noted it will be 75% this year. Last year's exchange amount was \$244,414.04 based on an exchange rate of 90%.

Commissioner Davis asked if we can collect the money before we do the project. McManaman said we can use it on a completed project and explained it's a reimbursement program for Road & Bridge purposes only.

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Commissioner Davis moved to approve the Federal-Aid Fund Exchange Master Agreement, Supplemental Agreement No. 1. Direct the County Engineer to submit the executed agreement on behalf of Barton County.

Commissioner Straub seconded the motion.

All voted aye. Motion passed.

D. UPDATE OF THE 2018 AUTHORIZED POSITIONS LISTING:

-The 2018 Schedule of Authorized Positions was adopted on July 31, 2017. This was done in concert with the adoption of the 2018 Operating Budget. Since that time, it is suggested that a Motor Vehicle Clerk be added to the Treasurer's Office; that Facilities be moved under Operations; and a position be added to Solid Waste. Matt Patzner, Finance Officer, will detail the budget impact of the proposed changes.

Matt Patzner, Finance/HR Officer, said the Motor Vehicle Clerk's wages, will be paid out of the Motor Vehicle Operating fund with benefits being paid out of the Employee Benefit Fund. The Network Administrator/IT Service Technician's wages will be paid out of the Solid Waste fund with benefits also being paid out of the Solid Waste fund. The Facilities Department budget authority will be moved from the Emergency Management Department to the Operations Department within the General Fund, which will have no funding impact.

Commissioner Davis moved to approve the Updated 2018 Authorized Positions Listing.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

E. BARTON COUNTY OFFICE BUILDING: Repair of Damage:

-Barton County Office Building, 12th and Kansas, Great Bend, Kansas, was flooded in 2017 after a pipe burst. Following that event, several repairs have been made. This includes the installation of new sheet vinyl in two bathrooms by Kern Floor Service at a cost of \$2,036.00. This work will be reimbursed by the County's insurance company. While Kern was working in the building, vinyl was replaced in three additional bathrooms. This work also totals \$2,036.00. It is suggested that the entire payment come from the Finance General Account of the General Fund, with the appropriate portion of the bill being submitted to the insurance company.

Phil Hathcock, Operations Director, said while Kern Floor Service was there, they replaced floors in the other three bathrooms because the floors were aged and coming up.

Commissioner Schremmer moved to authorize payment of the \$4,072.00 billing from Kern Floor Service for repairs at the Barton County Office Building. Payment to be made from the Finance General Account of the General Fund, Miscellaneous Contractuals Line, 001-26-5755. The appropriate portion of the billing is to be submitted to the insurance company by the Emergency Risk Manager. Once reimbursed by EMC, the monies are to be deposited in the Insurance Reimbursements Line, 001-00-4547.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

IV. ENDING BUSINESS:

1. Announcements
2. Appointments

V. OTHER BUSINESS:

- Denise Rankin: Reported to GB Police Dept on April 21st her ex-husband, Jeffrey Allen Rankin, abducted her daughters. County Attorney, Amy Mellor, and Assistant County Attorney, Doug Matthews, failed her. Requested an investigation be done. Criminals are being let out. Her case has been going

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- on for 2 years. Matthews put the blame on the KBI, GBPD, etc. Matthews failed to bring her case and others to trial before time ran out. The judge dropped all 16 counts of molestation against her ex-husband. The 12 counts of indecent liberties were plead out. Did not want a plea, wanted the case to go to jury trial. Her ex-husband molested her children for six years, biting their breasts, vagina and buttocks. There are more and more cases were Matthews failed to get cases to court within 180 days. Matthews asked for a continuance on her case because he was dealing with a Federal Appeals case and couldn't get his job done. Rape, murder and molestation cases have been let go. Can't do anything to get 16 charges back.
- Stacia Boden (316) 655-0030 Attorney of the Kansas Bar: Practicing law for 17 years and has been a prosecutor in three separate counties. Requested the Commission devise a task force or committee to look into allegations. Asked the Sheriff to tell about another case on attempted murder that was dismissed last Friday where speedy trial issues again caused cases to be dismissed.
 - Sheriff Bellendir: Last June the Sheriff's Office went to Minnesota to pick up Alejandro Azteca, charged with attempted murder in Barton County. Defense filed a motion to dismiss for failure to bring to trial in 180 days. The case was dismissed. The Sheriff's Office released Azteca Friday afternoon. There is information in the Commissioner's packets, about an hourly employee at the Sheriff's Office who made unkind remarks about the County Attorney on Facebook. The County Attorney has asked that cease and has threatened legal action against the County. Freedom of Information may be requested through the County Clerk.
 - Comm Schartz: We will discuss this further during study session and invite the County Attorney to attend.
 - Steve Webster, Eagle Radio: Will the study session be recorded?
 - County Clerk Donna Zimmerman: We don't record study sessions, but deferred to the Commission.
 - Comm Straub: We should continue discussion during the agenda.

At 9:37 A.M., Commissioner Straub moved to recess and resume this meeting at 9:45 A.M. Commissioner Kruckenberg seconded the motion. All voted aye. Motion passed.

At 9:47 A.M., Commissioner Schartz called the meeting back to order. Doug Matthews, Assistant Barton County Attorney, joined the meeting. County Attorney Amy Mellor was in court and could not be present.

- Denise Rankin: Here to bring attention to the way Doug Matthews handled her case and asked for an investigation. There is no excuse why Doug didn't get this case to trial. Sixteen counts were dropped. Matthews called her over the phone to tell her he had good news (the kids would not have to testify), but 16 counts were dropped leaving 12 counts of exploitation of a child. Jeffrey Rankin could have served 25 to life for all counts. Jeff is 52 years old and his family is here in Great Bend, so he's not leaving. In the 1980's, Jeff had a criminal history of counterfeit checks, beating people, etc. Rankin said she was two days away from losing her children because they were planning their suicide. One daughter was 17 years old at the time and was bleeding from her anus for three days from her Dad trying to anally penetrate her. This charge was dropped. Another case where the child contracted an STD from her rapist also was dropped. Rankin said she fears her ex-husband will come after them when he gets out. Detective Heather Smith would come running whenever called needing her.
- Stacia Boden, Rankin Attorney: Will be filing ethical complaint with State Attorney General's Office against Matthews. There is a lack of communication. The Attorney's office will not provide Doug's email address and Doug will not return phone calls with legal counsel representing victims. Questioned why they are excluded from meetings. Would love to hear from Doug and said she was floored that Ms. Rankin received a phone call to let her know the status of the case. It took Doug 2 years to look at pornography to evaluate the strength of case.

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- George Rail, Victim's Grandfather: Has been in law enforcement for 22 years. Has never seen a case botched so badly. Stated he didn't know who he had more remorse for, his ex-son-in-law or Doug Matthews.
- Doug Matthews: Was unaware Ms. Rankin would be here today. The case is still active, so there is not much he can say. Jeffrey Rankin has been convicted on 2 felony offenses that could put him in jail for over a dozen years. The dismissal should not have happened. An appeal could have let him out.
- Comm Straub: Asked who the Judge was and did he have a reason for his ruling.
- Doug Matthews: The Judge was William Smith and his opinion was that the Attorney's Office did not bring the case to trial in time (8 days short by his count). Matthews said he disagreed with that. Will not guarantee what a jury would have done with any of these matters. They filed cases last year all the way from attempted murder down to speeding. Incorrect if someone says they are not doing their job to the best of their ability.
- Steve Webster: What happened in the Azteca case?
- Doug Matthews: Still an active case, can't comment much.
- Steve Webster: Was it a speedy trial issue again?
- Doug Matthews: No, it was not.
- Stacia Boden: Asked Matthews what the issue was.
- Doug Matthews: The judge determined that an interstate agreement detainer had been filed and was not acted upon, but because they are still prosecuting the case, they are considering options in light of other case law.
- Stacia Boden: Who's responsibility it was to act upon the detainer.
- Doug Matthews: It was the Barton County Attorney Office acting on the document.
- Comm Schartz: Asked Carey Hipp, County Counselor what they can do.
- Carey Hipp: No decisions would be made today. They will look at options going forward.
- Denise Rankin: This is for every victim that Doug has failed. Asked that this be looked at. There are other victims living in fear. Doug has always put the blame on everyone else. Amy Mellor also needs to be held accountable, she is allowing this to happen and she hired Doug Matthews.
- Comm Davis: Asked Matthews who dismisses the cases? Is it the judge?
- Doug Matthews: Cases are dismissed by judges. Sometimes the attorneys request a case be dismissed and judges weigh the arguments presented and then may dismiss cases. The County Attorney may grant a diversion. If the diversion agreement is completed, they may request a dismissal.

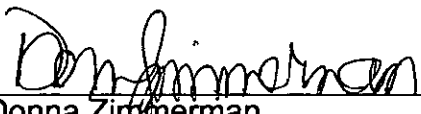
VI. ADJOURN:

Commissioner Kruckenberg made a motion to adjourn at 10:23 A.M.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

ATTEST:



Donna Zimmerman
Barton County Clerk



Jennifer Schartz, Chairman