

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

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

July 19, 2021

The Board of Barton County Commissioners convened this 19th day of July 2021, at the Barton County Courthouse.

Members present:

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

Members absent:

Phil Hathcock, County Administrator

I. OPENING BUSINESS:

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

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

Commissioner Schartz moved to approve the minutes of the July 12, 2021, Regular Meeting.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

II. APPROVAL OF APPROPRIATIONS:

-An Accounts Payable Register will be submitted to the Commission for the period of July 6, 2021, and ending July 19, 2021.

Commissioner Esfeld moved to approve appropriations for the period of July 6, 2021, to July 19, 2021.
Authorize the Chairman to sign on behalf of the Commission.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

III. OLD BUSINESS:

There was no old business.

IV. NEW BUSINESS:

A. RESOLUTION 2021-15: A Resolution Establishing a Regular Meeting Schedule for the County Commission and Rescinding Resolution 2017-12, Same, Adopted July 24, 2017:

-KSA 19-206 authorizes the Commission to meet in regular session on such days and at such times each month as may be determined. Said meetings are to be established through the adoption of a Resolution. At this time, Chairman James R. Daily will lead a discussion to determine if the Commission wishes to meet weekly on Wednesdays at 9:00 a.m. in regular session, rather than Mondays.

Chairman James R. Daily said we met on a Wednesday recently and discussed there may be some interest in meeting on Wednesdays as opposed to meeting on Mondays.

Commissioner Schartz said 4/5 of the commission are retired and can set own schedule with the exception of Shawn. Commissioner Hutchinson indicated Monday is sort of the day he gets his week

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started and said Wednesday would work better. Hutchinson said there may be others who might be able to run for Commission if the meeting were moved to Wednesday.

Commissioner Krier said he is self-employed, but the Dispatch and Ellinwood Leader go to print on Tuesday and noted it would not be good for their newspapers. Krier said he was leaning against the proposal and noted the accounts payable schedule would also have to be changed. Krier said his biggest concern is the newspapers' print schedule.

Donna Zimmerman said that it would require a change in the schedule and a change in how all departments would have to process their accounts payable. Zimmerman also noted the County Clerks Association as well as other county associations avoid scheduling meetings on Mondays as most county commissions meet that day.

Commissioner Esfeld asked Dale Hogg and Ken Carpenter how it would impact them. They both said they could cover the meeting. Dale Hogg said he has two meetings today, so one meeting would be better for him.

Commissioner Hutchinson said he is here for the people and appreciates they are looking into it for him but does not want to make it more difficult. Hutchinson said do not change it just for him. Hutchinson said Wednesday would work better and said he believes it would work better for the community. Hutchinson said many years ago he wanted to attend a meeting for a presentation but was unable to do so because it was on a Monday morning.

Commissioner Schartz asked Commissioner Hutchinson would he be alright with it staying on Monday. Commissioner Hutchinson said he would make it work.

Commissioner Daily said it did not matter to him which day but did not want to short serve the newspapers.

Commissioner Hutchinson moved to table this motion for further discussion.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

B. EMPLOYEE RELATIONS COMMITTEE: Committee Bylaws, Version III:

-The Barton County Employee Relations Committee, known as the "ERC", was established to promote good relations among the employees of Barton County. The ERC works with the Commission and the County Administrator regarding matters that are of interest or concern to employees. At this time, Ryan Lichter, ERC President, will submit revisions to the ERC Bylaws for consideration by the Commission.

Ryan Lichter, ERC President, was absent.

Commissioner Krier moved to table the Employee Relations Committee, Committee Bylaws, Version III item.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

C. RESOLUTION 2021-16: A Resolution Establishing Procedures for the Use, Management, and Disposition of Equipment Purchased with Federal Funding for Barton County:

-Sue Cooper, Grant Coordinator, will present Resolution 2021-16. This Resolution establishes procedures for the use, management and disposition of equipment purchased with Federal funding. It additionally provides a method for depreciating equipment and assets valued over \$5,000.

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Sue Cooper, Grant Coordinator, said the capitalization policy tracks the value of the assets over their useful life. Barton County annually adopts the GAAP waiver therefore the county is not required to value assets. This policy would require the value and useful life of assets purchased with Federal Funds with a straight-line depreciation method.

Commissioner Krier said the reason is the Federal Government does not want us to acquire equipment and sell it. Cooper said they want it valued. They do not want it back but want to be able to pass along the asset when no longer needed. If Barton County would want to acquire the asset for another use, we would need to know the value at that point in order to purchase it.

Cooper said tele-medicine services is an example. For instance, if in 3 years after the grant term has ended, Barton County no longer wanted to use tele-medicine and/or tele-medicine services, the government would then have the ability to allow Barton County to relinquish those assets to someone else who could use them.

Commissioner Krier asked if this was going to be difficult for her and Matt to track. Cooper said Dereck Hollingshead is tracking the equipment now. It will be a matter of adding a column to the spreadsheet for depreciation.

Commissioner Hutchinson moved to adopt Resolution 2021-16, A Resolution Establishing Procedures for the Use, Management, and Disposition of Equipment Purchased with Federal Funding for Barton County. Commissioner Esfeld seconded the motion. All voted aye. Motion passed.

ADDED B. EMPLOYEE RELATIONS COMMITTEE: Committee Bylaws, Version III:

-The Barton County Employee Relations Committee, known as the "ERC", was established to promote good relations among the employees of Barton County. The ERC works with the Commission and the County Administrator regarding matters that are of interest or concern to employees. At this time, Ryan Lichter, ERC President, will submit revisions to the ERC Bylaws for consideration by the Commission.

Commissioner Krier said we did not say tabled for how long and could hear this item now.

Commissioner Hutchinson moved to bring Ryan Lichter up to explain the Employee Relations Committee Line Item B in our agenda.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Ryan Lichter, ERC President, said he was asking for approval of the revisions to the ERC Bylaws. Changes include 8 hours of PTO for the employees awarded Employee of the Quarter.

Commissioner Hutchinson said the commission had discussed this and wanted the employees to know how much they are appreciated. Hutchinson said having Barb on the commission has been very helpful because she was an appointed position before an elected position.

Commissioner Esfeld moved to approve the Employee Relations Committee Bylaws, Version III, effective July 19, 2021.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

D. ADMINISTRATION: ARPA Funding Reimbursements and Distributions:

-Barton County received \$2,503,634.50, from the American Rescue Plan Act (ARPA), on May 20, 2021. States, territories, counties and cities received State and Local Fiscal Recovery funds (SLFRF) to respond to the COVID-19 pandemic, as units of government have endured immense public health and

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economic needs created by the crisis. Given the criteria for expenditure of these funds, it is suggested that the monies be used to offset COVID-related expenses to include payroll, the 2020 single audit and legal expenses relative to the County Counselor.

Sue Cooper, Grant Coordinator, said this funding's primary use is to support public health expenditures, address negative impacts related to and caused by the public health pandemic, replace public sector lost revenue and provide premium pay for essential workers and invest in water, sewer, and broadband infrastructure. Cooper said the county had several public study sessions where payroll and administrative costs were determined in addition to public safety, public health, health care services. Time studies were conducted by Cooper with the department heads to determine the percentage of time certain individuals spend on COVID related duties. There is still a substantial amount of time being spent with employees responding to COVID across multiple departments. Payroll assistance ensures that COVID related duties may continue. Cooper said there is an estimated \$1.7 million to be spent on COVID related payroll and benefits between April 1st and December 31st, 2021.

Cooper also reported that Barton County was subjected to a single audit because of the CARES Act funding received last year and said legal assistance was also identified. Cooper said our county counselor has provided an abundance of information on COVID and the public health pandemic. The ARPA time frame is March 3, 2021, through December 31, 2024.

Commissioner Krier moved to approve the reimbursement and disbursement of COVID-related expenses as follows:

Expenses related to payroll, not to exceed \$1,700,000, and incurred between April 1, 2021, and December 31, 2021, for public safety, public health, health care, human services, and similar County employees whose services are substantially dedicated to mitigating or responding to COVID. Payment to be made from the ARPA Fund, Fund 906.

Expenses related to the 2020 single audit, not to exceed \$9,000, and incurred between March 3, 2021, and December 31, 2021, to be made to Adams, Brown. Payment to be made from the ARPA Fund, Professional Services Line, 906-00-5475 and then also,

Expenses related to legal assistance, not to exceed \$30,000, and incurred between March 3, 2021, and December 31, 2021, to be made to Sherman, Hoffman, and Hoffman. Payment to be made from the ARPA Fund, Professional Services Line, 906-00-5475.

Those expenditures are supported, in whole or in part by, the Coronavirus State and Local Fiscal Recovery Funds, awarded to Barton County by the United States Department of the Treasury.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

E. EMERGENCY RISK MANAGEMENT: Local Emergency Planning Committee:

-The Barton County Local Emergency Planning Committee (LEPC) is comprised of representatives from the following groups: state/local officials; law enforcement; firefighting; emergency management; health; hospital; broadcast media and/or communications media; transportation; local environmental group; community service/civic group; emergency medical services; and facilities/industries regulated by SARA Title III. Nominations have been sought for appointment according to LEPC bylaws.

Amy Miller, Emergency Risk Manager, asked for approval of the membership and said once approved, the names will be forwarded to the Kansas Division of Emergency Management. Miller explained this is part of SARA Title III which began in 1996. Miller said the county's first plan was submitted in the fall of 1998. Miller said this group meets on a quarterly basis and specifically looks at a hazardous materials response.

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Commissioner Daily asked if this group helps plan for training. Miller said yes and noted they are all invited to the TEPW (Training and Exercise Planning Workshop) where first responder agencies will all be together in one location. ICS 300 Incident Command training has already been scheduled for February 2022.

Commissioner Schartz asked if the positions have term-limits. Miller said she normally comes in and asked for half of them to be renewed/appointed and then the other half, but the state wants it updated every year.

Miller read the list of names of current members in addition to the new appointees.

Commissioner Esfeld moved to approve the 2021 Membership List of the Barton County Local Emergency Planning Committee to the Commission on Emergency Planning and Response to include the following new appointments:

Patrick Crowdis, USD 431 – Hoisington
Amanda Hoffman, Clara Barton Hospital
Mark Kircher, Wheatland Electric Cooperative
Kristian Pearson, The Center for Counseling & Consultation and
Karen Winkelman, Barton County Health Department

and direct Amy Miller, Emergency Management Director, to forward the complete membership list to the Kansas Division of Emergency Management and the Kansas Commission of Emergency Planning and Response.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

Commissioner Daily announced Phil Hathcock was in Virginia due to his mother's passing.

V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

- Comm Daily: He, Barry McManaman and Darren Williams will meet with the Pawnee Rock Mayor to talk about flooding issues.
- Comm Krier: Asked if we could provide a photo ID for voters who do not have driver's licenses. Donna Zimmerman said we do. They can get a non-driver's ID card from the DMV Office. If unable to do that, there is another option through the Secretary of State Office.
- Comm Hutchinson: If you think the meetings have been boring stay tuned, we have some big things coming, we are all working hard.


VII. ADJOURN.

Commissioner Schartz moved to adjourn at 9:40 A.M.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:


Donna Zimmerman
Barton County Clerk


James R. Daily, Chairman

RESOLUTION 2021-16

A RESOLUTION ESTABLISHING PROCEDURES FOR THE USE, MANAGEMENT, AND DISPOSITION OF EQUIPMENT PURCHASED BY BARTON COUNTY WITH FEDERAL FUNDING

Whereas, the Board of County Commissioners of Barton County, Kansas, believes it appropriate to clarify issues regarding the inventory and value of equipment purchased with Federal funding

Whereas, the Board believes clarifying such issues will further Commission goals that assets will be valued in an appropriate, responsible, and transparent manner, and

Whereas, such a policy is described as a "Capitalization Policy."

Now, Therefore, Be It Resolved that the Board of County Commissioners, Barton County, Kansas establishes the following procedures for valuing equipment purchased with Federal funds.

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 asphalt, road sand, and similar items. Consumables also include food, drink, 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. Use of Equipment.

- a. Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and must not encumber the property without prior approval of the Federal awarding agency. The Federal awarding agency may require the submission of the applicable common form for equipment. When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:
 - i. Activities under a Federal award from the Federal awarding agency which funded the original program or project, then

- ii. Activities under Federal awards from other Federal awarding agencies. This includes consolidated equipment for information technology systems.
- b. During the time that equipment is used on the project or program for which it was acquired, equipment must be available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by a Federal awarding agency that financed the equipment, and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally-funded programs or projects is also permissible. User fees should be considered if appropriate.
- c. Notwithstanding the encouragement in §200.307 to earn program income, the use of equipment acquired with the Federal award to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal Government retains an interest in the equipment.
- d. When acquiring replacement equipment, equipment may be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

3. Equipment Management.

- a. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place shall be recorded by the County Clerk and maintained according to Kansas Statutes K.S.A. 19-2687, and include
 - i. A physical inventory of the property must be taken and the results reconciled with the property records according to Barton County Maintenance of Inventory Resolution to ensure equipment is in place, operational, and to mitigate loss, theft, and damage. The County Clerk works with department heads to gather inventory information.
 - ii. A separate spreadsheet for equipment and assets purchased with Federal funding must be maintained by the Computer Information Services Department (I.T.) to prove the value of the equipment by working with the County Clerk and the respective County department heads. This document is necessary when the Board of County Commissioners determines that the financial statements and financial reports for the year are not relevant to the requirements of the cash basis and budget laws of K.S.A. 75-1120a(a). Barton County department heads will provide The spreadsheet serves to evaluate the true useful life of the equipment purchased with Federal funding and to adjust the equipment value as needed. This spreadsheet must include the following:
 - 1. description,
 - 2. serial number or another identification number,
 - 3. source of funding for the property (including the Federal Award Identification Number),
 - 4. who holds the title,
 - 5. acquisition date,
 - 6. cost of the property,
 - 7. percentage of Federal participation in the project costs for the Federal award under which the property was acquired,
 - 8. current value,
 - 9. useful life of the equipment,
 - 10. location,
 - 11. condition (document damage, loss, theft of property, and investigate cause),
 - 12. disposition data (date of disposal, sales procedures, and the sale price of the property).

- iii. Standard capitalization thresholds for the useful life of equipment and assets purchased with Federal funding have been established.

Asset Types	Life
Land	N/A
Land Improvements	10-20 years
Leasehold Improvements	Not to exceed the life of the lease plus renewals
Building – New	30 years
Building – Purchased	20-23 years
Building – Improvements	15-20 years
Equipment – Fixed	1-10 years
Equipment – Non-Fixed	1-10years

- iv. Straight-line depreciation methods are used to value equipment and assets purchased with Federal dollars over the property's estimated useful life.

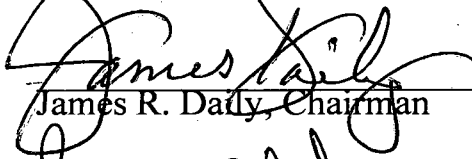
4. Disposition.

- a. When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, requesting disposition instructions from the Federal awarding agency is necessary if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:
- i. Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of with no further responsibility to the Federal awarding agency. The item is a consumable good;
 - ii. Except as provided in §200.312(b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained by Barton County or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit Barton County to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
 - iii. Items of equipment may be transferred by title to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the current fair market value of the property.


FURTHER, that nothing in this Resolution shall apply if in conflict with any Federal or State statute, law, or regulation.

Dated this 19th day of July 2021.

BOARD OF COUNTY COMMISSIONERS


James R. Daryl, Chairman

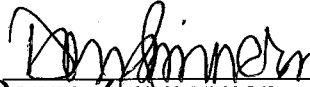

Barb Esfeld, Commissioner

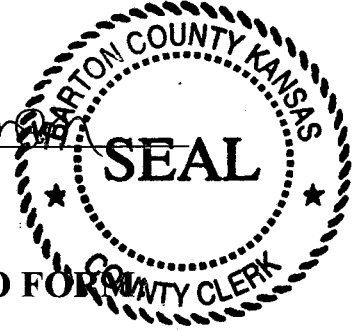

Shawn Hutchinson, Commissioner


Kirby Krier, Commissioner



Jennifer Schartz, Commissioner

ATTEST:


Donna Zimmerman,
County Clerk



APPROVED AS TO FORM FOR COUNTY CLERK


Patrick Hoffman,
County Counselor