

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/3MzyxE1>

October 10, 2023

The Board of Barton County Commissioners convened this 10th day of October 2023, at the 1500 Kansas location.

Members present:

Duane Reif, Commissioner, 1st District
Barb Esfeld, Commissioner, 2nd District, (Chairman Pro-Tem)
Tricia Schlessiger, Commissioner, 4th District
Donna Zimmerman, Commissioner, 5th District
Bev Schmeidler, County Clerk
Matt Patzner, County Administrator
Patrick Hoffman, County Counselor

Members absent:

Shawn Hutchinson, Commissioner, 3rd District, Chairman

I. OPENING BUSINESS:

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

Commissioner Zimmerman moved to approve the agenda.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

Commissioner Reif moved to approve the minutes of the October 3, 2023, Regular Meeting.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

II. APPROVAL OF APPROPRIATIONS:

-Bev Schmeidler, County Clerk, will present details. An Accounts Payable Register will be submitted to the Commission for the period of September 26, 2023, and ending October 10, 2023.

Bev Schmeidler, County Clerk, presented details.

Commissioner Zimmerman moved to approve appropriations for the period of September 26, 2023, to October 10, 2023. Authorize the Chairman to sign on behalf of the Commission.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

III. OLD BUSINESS:

-There was no Old Business at this time.

IV. NEW BUSINESS:

A. UPDATE: Memorandum of Understanding – Barton County and Great Bend Economic Development:

-Chris Komarek, Ellinwood City Administrator, will present details. In August, 2022, Mr. Komarek detailed that the City of Ellinwood is developing a water, sanitary sewer and storm sewer infrastructure project. Included in the project are both the new hospital and new housing area. The Commission approved \$300,000.00 in financial support and directed the County Counselor to develop a Memorandum of Understanding reference the administration of the funding. The Memorandum of Understanding was adopted October 26, 2022. As the project will not be completed by the original end date, it is suggested that the complete date be extended to July 1, 2024.

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Chris Komarek, Ellinwood City Administrator, presented details and asked for an extension until July 1, 2024. They had a meeting yesterday with some property owners, it was a great meeting and he felt they were making great strides.

Commissioner Esfeld said they were doing great things.

Commissioner Zimmerman noted this was an important project.

Commissioner Schlessiger said it was an exciting time to be in Ellinwood.

Commissioner Schlessiger moved to extend the completion date for the Ellinwood project, as described in the October 26, 2023, Memorandum of Understanding – Barton County and Great Bend Economic Development, to July 1, 2024.

Commissioner Zimmerman seconded the motion.

All voted aye. Motion passed.

B. RESOLUTION 2023-23: Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land:

-Judy Goreham, Environmental Manager, will present details. VB BTS II, LLC by Network Connex; Victor McAlister made application for a conditional land use permit for a 385' Guyed Communications Tower on a portion of a tract owned by the Patricia K. Haberman Trust and located at 673 B N US 281 HWY, Great Bend, Kansas. The Barton County Planning Commission held a Public Hearing on September 14, 2023. It was unanimously recommended that the Barton County Commission approve this request. Due to the height of the tower, there is one condition of approval recommended, that no building permit be issued to construct the tower until the FCC approvals have been received. The FAA approvals have been submitted.

Judy Goreham, Environmental Manager, said she was asking for approval of a brand-new communications tower proposed to be located directly south of the golf course, west of Highway 281, across from Barton Hills. The land was owned by the Haberman Trust, Patricia Haberman and her son, Patrick Haberman, were present. The proposed tower would be 375' tall with a 10' lightening rod for a total height of 385'. It will be triangular shaped with anchors and the area surrounding the tower was just over 10 acres. Goreham said no neighboring landowners attended the public hearing or voiced any concerns. Communication has frequently dropped in the area, and it would be nice to have better coverage there. Goreham had already received the building permit application and fee so upon approval today, she would issue the building permit. This tower is a T Mobile tower, will be lighted and likely painted, following all FAA and FCC requirements. The lights would blink white during the day and blink red at night. All equipment would be brought in from the Haberman land so that the road to the golf course would not be damaged. After construction, regular maintenance and access will go through an easement on the road.

Commissioner Zimmerman asked Goreham if she heard anything from the golf course. Goreham said no, she did not. Commissioner Zimmerman said it would be nice to have better coverage in the area.

Commissioner Reif said that he agreed with Commissioner Zimmerman and saw no problem with approving the request.

Goreham said as part of the FAA and FCC requirements, flight patterns must be reviewed from Fort Riley as this is a practice area. It was a coordinated effort.

Patricia Haberman said that prior to meeting with Environmental Management, they met with the golf course and Wheatland Electric who made suggestions.

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Patrick Haberman said the golf course would receive updated electric services through the process.

Commissioner Esfeld said it was a win for them and others in the area. She asked if others could be on this tower. Goreham said yes, they would have space to sell space for other cell phone companies.

Commissioner Reif moved to adopt Resolution 2023-23, Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

C. BARTON COUNTY EMPLOYEE HANDBOOK: Update – Policy 302.1, Holiday Premium Pay:

-Matt Patzner, County Administrator, will provide details. On October 3, 2023, the Commission adopted certain changes to County policies dealing with holiday pay. It has since been suggested that Policy 302.1, Holiday Premium Pay, be further updated. Essentially, the change would allow any employee physically working on an established holiday to be paid holiday premium pay for the entire shift, as opposed to the current hours worked only on the holiday.

Matt Patzner, County Administrator, presented details.

Commissioner Esfeld said she had not thought about this before.

Commissioner Schlessiger said it was the right thing to do.

Commissioner Schlessiger moved to adopt revised Policy 302.1, Holiday Premium Pay. Authorize the Administrator to make such revisions as are necessary to incorporate the updates into the Barton County Employee Handbook and to provide such updates to County employees.

Commissioner Reif seconded the motion.

All voted aye. Motion passed.

D. EXECUTIVE SESSION:

-Barb Esfeld, Chairman Pro Tem, 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.

At 9:15 A.M., Commissioner Zimmerman moved that the Commission go into Executive Session for a period of 20 minutes. The subject to be discussed will be consultation with the County Counselor to discuss matters related to attorney client privilege as the matter is protected by attorney / client privilege. The reason this needs to be discussed in Executive Session is to provide the attorney / client privilege and the County's position on the matter on which legal advice is being sought. Inviting the County Counselor, the County Administrator and the governing body into said meeting. The Open Meeting will resume at 9:35 in this room.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

At 9:36 A.M., Commissioner Zimmerman moved to come out of Executive Session with no action taken.

Commissioner Reif seconded the motion.

All voted aye. Motion passed.

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V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

Commissioner Schlessiger – IGNITE last Thursday, presentations were spectacular. Around 200 attended. Greystone was the winner, 10-39 Café from Ellinwood was runner-up.

Commissioner Esfeld – 10-39 Café received People's Choice also. Greystone is an event center above Great Bend Coffee.

Commissioner Esfeld – Hatchet Axtion was also a contender, and they will have a Rage Room and an Escape Room.

Commissioner Schlessiger – the others who presented were Manase Turf and Ruhe Day Spa. Five new businesses was amazing.

Commissioner Zimmerman – attended the Candidate Forum that was at the same time. There were 10 candidates. Great format at the Senior Center.

Commissioner Reif – another Candidate Forum in Hoisington Thursday.

Commissioner Reif – met with Darren Williams about shed damaged in storm.

VII. ADJOURN:

Commissioner Zimmerman made a motion to adjourn at 9:44 A.M.

Commissioner Schlessiger seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler
Barton County Clerk



Shawn Hutchinson, Chairman

RESOLUTION 2023-23

**RESOLUTION FOR APPROVAL OF CONDITIONAL LAND USE PERMIT
FOR A DESCRIBED TRACT OF LAND**

WHEREAS, on January 28, 2013, the Barton County Planning Commission recommended to the Board of Barton County Commissioners the adoption of the Barton County Zoning Regulations, including the Official Zoning Map of Barton County, Version II. Said recommendation resulting in the adoption of the current version of the Zoning Regulations; and

WHEREAS, on the 14th day of September, 2023, the Planning Commission approved a recommendation to the Board of County Commissioners to take action on conditional land use of a certain tract of land; and

WHEREAS, the Barton County Planning Commission recommends that:

The tract of land situated in the NE/4, Section 29, Township 18 South, Range 13 West in the County of Barton, State of Kansas, more specifically located as follows: 673B N US 281 HWY, Great Bend, KS 67530.

Currently zoned as Agricultural Distract shall be Approved for VB BTS II, LLC by Network Connex; Victor McAlister a Conditional Land Use Permit to construct a 385' Guyed Communications Tower on 10.8 +/- acres of an existing 193.4 +/- acre tract as described above and located on the west side of N US 281 HWY and just south of the Lake Barton Golf Club, contingent upon receiving the FCC approval – As said conditional use is allowed under the Barton County Zoning Regulations, Version II, Article III, District Regulations, Part 1. Agricultural District, Section 3-101 (B) Conditional Uses (2) Communication Towers.

NOW, THEREFORE, the Board of County Commissioners of Barton County, Kansas, hereby adopts the recommendation of the Barton County Planning Commission as contained herein; and

FURTHER, that the Secretary of the Planning Board is hereby directed to have said revision reflected in the official zoning records of Barton County and that a method be established for tracking this, and future actions taken in zoning areas.

MOTION MADE AND ADOPTED by the Board of County Commission of Barton County, Kansas, this 10th day of October 2023.



ATTEST:

Bev Schmeidler
Bev Schmeidler
County Clerk

APPROVED AS TO FORM:

Patrick Hoffman
Patrick Hoffman,
County Counselor

BOARD OF COUNTY COMMISSIONERS

ABSENT

Shawn Hutchinson, Chairman

Barb Esfeld
Barb Esfeld, Commissioner

Duane Reif
Duane Reif, Commissioner

Tricia Schlessiger
Tricia Schlessiger, Commissioner

Donna Zimmerman
Donna Zimmerman, Commissioner