

# 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](mailto:clerk@bartoncounty.org)  
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November 16, 2015

The Board of Barton County Commissioners convened this 16th day of November 2015, at the Barton County Courthouse.

## *Members present:*

Kenny Schremmer, Commissioner, 1st District, Chairman  
Homer Kruckenberg, Commissioner, 2nd District  
Don Davis, Commissioner, 3rd District  
Alicia Straub, 4th District  
Jennifer Schartz, Commissioner, 5th District (Chairman Pro-Tem)  
Donna Zimmerman, County Clerk  
Richard Boeckman, County Counselor/Administrator

## **I. OPENING BUSINESS:**

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

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

Minutes of the November 9, 2015 Regular Meeting were not available.

## **II. APPROVAL OF APPROPRIATIONS:**

-An Accounts Payable Register will be submitted to the Commission for the period of November 2, 2015, and ending November 16, 2015.

Commissioner Davis moved to approve appropriations for the period of November 2, 2015 to November 16, 2015 and authorized the Chair to sign on behalf of the Commission.  
Commissioner Kruckenberg seconded the motion.  
All voted aye. Motion passed.

## **III. OLD BUSINESS:**

There was no old business.

## **IV. NEW BUSINESS:**

### **A. ELLINWOOD NEIGHBORHOOD REVITALIZATION PLAN: Interlocal Agreement:**

-A Neighborhood Revitalization Plan provides tax rebates for qualified new improvements with the County performing the administrative tax functions. The program provisions, in this case relative to the City of Ellinwood, are outlined in the interlocal agreement and in the Revitalization Plan.

Bud Newberry, Ellinwood City Administrator, said Ellinwood is modifying Page 11 #2 on Procedures for submitting an application. Applications will now be submitted to the City of Ellinwood instead of the County Appraiser's Office. The City will then forward those applications to the Appraiser's Office. Newberry said signature lines for the County Clerk and County Counselor were also added to the last page of the agreement.

Commissioner Straub moved to approve the Interlocal Agreement for the Neighborhood Revitalization Plan, City of Ellinwood, as presented by Bud Newberry, dated November 16, 2015.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

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## **B. GREAT BEND NEIGHBORHOOD REVITALIZATION PLAN: Interlocal Agreement:**

-The County is entered into an interlocal agreement with the City of Great Bend to provide assistance on the Neighborhood Revitalization Program. This program provides tax rebates for qualified new improvements. In order for the City to continue to offer this incentive, the County must continue to perform the administrative tax functions. The provisions of the program are outlined in the interlocal agreement and in the City's Revitalization Plan.

Bob Suelter, Great Bend City Attorney, said the plan is for only 1 year this time and noted there are 2 districts (*primary area and secondary area*). Suelter said they opted for a one year plan due to the uncertainty of what the legislature may do.

Commissioner Schartz moved to approve the Interlocal Agreement for the Neighborhood Revitalization Plan, City of Great Bend, Kansas, effective January 1, 2016.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

## **C. APPRAISER'S OFFICE: Johnson County – Mandamus Action:**

-A "Mandamus Action" is a lawsuit against a government in reference to an administrative matter that is not discretionary; where there is a legal duty for action that has not happened. In this particular instance, Johnson County has filed action for clarification on KSA 79-1460. This statute deals with maintaining values after a hearing. Generally speaking, Johnson County's stance is that this statute violates Article 11 of the Kansas Constitution, which, in part, calls for uniform and equal property values.

Barb Esfeld, County Appraiser, asked the Commission to join Johnson County in their efforts. Johnson County is filing a Mandamus Action to get clarification on KSA 79-1460 which requires Counties to maintain the value for the next two succeeding years if the value was reduced during a hearing. This Statute violates the State Constitution Art. 11 to value on a uniform and equal basis. Johnson County is paying for the lawsuit against the State, but would like Counties to join the action.

Commissioner Schartz moved to direct the County Counselor/Administrator/Interim 911 Director to notify Johnson County that Barton County will join the Mandamus Action reference clarification on KSA 79-1460.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

## **D. ROAD AND BRIDGE: Auction of Surplus International Tandem Trucks:**

-On April 13, 2015, the Barton County Commission authorized the purchase of four replacement tandem trucks. Subsequent to that action, the Commission authorized the sale, by auction, of the four trucks being replaced. Since that time, the Road and Bridge Department offered the vehicles to local municipalities first. It was determined that offering the vehicles to local municipalities first may allow a city or township to improve its fleet at a lower cost. Mr. Boeckman will ask that the Commission overturn the April action calling for the auction of the vehicles.

Richard Boeckman, County Counselor/Administrator, said there is a problem with the motion that needs to be corrected.

Commissioner Schartz moved to rescind the April 13, 2015, motion to sell at auction four tandem axle International Dump Trucks.

Commissioner Davis seconded the motion.

All voted aye. Motion passed.

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## **E. ROAD AND BRIDGE: Sale of Surplus International Tandem Trucks to a Local Municipality:**

-The Road and Bridge Department took possession of four replacement vehicles earlier this fall. As a result, the Department was able to take measures to sell the older models being replaced. After opening a bid process for local municipalities, the only bid was submitted by the City of Hoisington. The City bid \$14,250.00 for a 1992 IHC Tandem Drug Truck, commonly known as Unit 59, and \$9,550.00 for a 1992 IHC tandem Dump Truck, commonly known as Unit 61.

Dale Phillips, Road and Bridge Director, recommended that Units 59 and 61 be sold to the City of Hoisington.

Commissioner Scharz felt it was a good idea to sell to another tax supported agency.

Commissioner Straub said she is hesitant to make any new purchase and wonders if one of the remaining trucks should be kept as a backup, especially since one of the new trucks was just wrecked.

Commissioner Davis moved to accept the City of Hoisington bid for \$14,250.00 for a 1992 International Tandem Drug Truck, commonly known as Unit 59, and the bid of \$9,550.00 for a 1992 International tandem Dump Truck, commonly known as Unit 61. Total purchase price, \$23,800.00, to be applied to the Road and Bridge Revenue line, Sale of Property, 002-00-4271.

Commissioner Scharz seconded the motion.  
All voted aye. Motion passed.

## **F. ROAD AND BRIDGE: Sale of Surplus International Tandem Trucks via Sealed Bids:**

-The County remains in possession of two International Tandem Trucks that are of no value to the Road and Bridge Department. It is suggested that a 1993 IHC 430P Tandem Truck with 243,272 miles, commonly known as Unit 60, and a 1993 IHC 435P Tandem Truck with 275,860 miles, commonly known as Unit 62, be sold via sealed bid.

Dale Phillips, Road and Bridge Director, said only one of the trucks would include a sand spreader.

Commissioner Scharz asked Phillips if the status of the wrecked vehicle will be known prior to the bids being sent out and asked if it is determined that one vehicle needs to be kept, can bids be refused. Phillips said the County can refuse any and all bids.

Commissioner Scharz moved to authorize the sale by sealed bid of the 1993 IHC 430P Tandem Truck with 243,272 miles, commonly known as Unit 60, and a 1993 IHC 435P Tandem Truck with 275,860 miles, commonly known as Unit 62, from the Road and Bridge Fleet. Proceeds from the sale to be applied to the Road and Bridge Revenue Line, Sale of Property, 002-00-4271.

Dale Phillips said the motion incorrectly listed the vehicles as 1993 trucks. The vehicles are 1992 vehicles.

Commissioner Scharz corrected her motion to be 1992 trucks.  
Commissioner Davis seconded the motion.  
All voted aye. Motion passed.

## **V. ENDING BUSINESS:**

1. Announcements
2. Appointments

## **VI. OTHER BUSINESS:**

There was no other business.

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## ADJOURN:

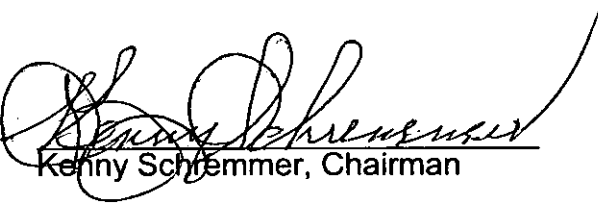
Commissioner Kruckenberg made a motion to adjourn at 9:25 A.M.

Commissioner Straub seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
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Donna Zimmerman  
Barton County Clerk

  
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Kenny Schlemmer, Chairman