

COMMISSIONER'S PROCEEDINGS  
OCTOBER 12, 2021

Agenda: 8:30 – Bills  
9:00 – Don Esarey – Relay information on Windmills  
9:15 – Bryan Duer – Mobile Home  
9:30 – Tony Martin  
9:45 – Maryann Willoughby – Mobile Home (Cancelled, came in at 9:15)

The Board of Stevens County Commissioners met in regular session with all members present. Paul Kitzke, County Attorney and Amy Jo Tharp, County Clerk were also present. Tron called the meeting to order. Pat moved to approve the minutes of the last meeting. Joe seconded. Motion carried. Joe moved to approve the county vouchers. Pat seconded. Motion carried. The Clerk was instructed to draw warrants on the Treasurer chargeable to the various funds of the county for the following amounts:

General	\$	122,618.98
Road & Bridge	\$	57,217.88
Airport	\$	10,606.08
Noxious Weed	\$	2,823.47
EMS	\$	11,195.08
Fire	\$	17,537.87
Community Health	\$	12,470.94
Sheriff	\$	40,481.30
Library	\$	58,627.25
Alcohol Treatment	\$	212.50
Wellness Bequest	\$	9,606.59
Emp P/R Misc W/H	\$	2,597.14
Community Health Grants	\$	3,200.00
County Building Fund	\$	211.86
<b>TOTAL:</b>	<b>\$</b>	<b>349,406.94</b>

Rodney Kelling came in and said he is hoping to be back working full-time in the office beginning next week after dealing with pneumonia. He handed the commissioners the Emergency Operating Plan to be signed for the state review.

Rodney asked Paul Kitzke if he had heard anything back from Code-Red and he stated he has not heard back at this time.

Rodney asked for an executive session over non-elected personnel to discuss employee behavior.

Pat made a motion to go into an executive session for fifteen minutes to discuss non-elected personnel over employee behavior. Joe seconded. Executive session began at 8:43 am until 8:56 am. No action taken.

Maryann Willoughby, Darrell Willoughby, and Jay Henson were present.

Matt Petti and Samuel Graham with Van Keppel were in attendance with Tony Martin.

Don Esarey came in to give the commissioners information he researched about wind energy. He stated the 2013 statistics for Cheyenne Wells, Colorado shows 229 towers giving the county one million dollars per year on taxes and has around twenty-seven (27) full-time employees making around \$50,000.00 to \$60,000.00 per year without overtime. He said he worked for the County Road and Bridge Department and when they were first discussing the wind turbines, he had reservations about the road repairs. The wind company has rebuilt and widened some roads due to the deterioration caused by their trucks moving the windmills in. He also stated the company gave the county the dirt and gravel for the Road and Bridge Department.

The commissioners questioned the possibility of the turbines falling apart or the company going bankrupt. Don said to make a bond before they do the project to cover any of those expenses. He also suggested hiring an attorney that specializes in wind energy farms to make sure the county will be protected. Don said landowners allowing windmills on their property were getting anywhere from \$3,500.00 to \$10,000.00 per year per tower.

Joe said the commissioners want to get more information to the public about the windmills. Don said some people do not like the site of the windmills or the red lights, but it has helped increase county revenue. He said in Cheyenne County, the wind company built a large shop which helped with taxes as well.

Tron asked if the windmills caused any issues with irrigation. Don said he was not sure, as the windmills were not located on irrigated land in Cheyenne County since there really is not much need for irrigation.

Pat did not think wind farms were property taxable because it is like the PILT (Payments in Lieu of Taxes) plan. Don said he was not sure and should contact the state taxing authority to find out more information.

Bryan Duer and Denise Spence came in to discuss the mobile home they purchased that was approved at the 8/23/21 commissioner meeting. Bryan stated he would have liked to have received a request to come in if the commissioners had an issue with the mobile home instead of hearing about it from other people and reading it in the paper (from the 9/27/21 commissioner meeting minutes). He said he had called Pat several times and had not received a phone call back until recently. Bryan informed the commissioners the mobile home was VIN checked by Ted Heaton and Pat talked to Wayne Harrison who had confirmed to Bryan the mobile home was in good shape.

so he would like an explanation as to why the commissioners have issues with it. Denise said they did not hear about any issues until after they purchased the mobile home. They would have liked to have been informed there was discussion at another meeting about issues with the mobile home, so they would know not to purchase it and to keep looking. Bryan asked who stated the mobile home was misrepresented.

Tron said he was not at the meeting where the mobile home was approved and said from the information he received, it was misrepresented. He was under the impression the home looked good from the pictures, yet when Tony went out and brought pictures in at the last meeting Pat and Joe thought it was a different house. Tron said the county has a twenty (20) year rule and should have stayed with it.

Bryan showed the same pictures to the commissioners he brought of the mobile home to the original meeting, pointing out where the siding had come off and informed them, he has made all the repairs. He also brought in plans for the house they intend on building. They were going to begin building soon but wanted to wait until spring to see if costs would go down. Denise and Bryan said they moved here to retire and do not want to cause any issues. Bryan said he has received rude phone calls at his place of work informing him they are blocking views, which he feels is very unacceptable.

Pat said he wants to make sure the plans are carried through for building a home, as was stated. He informed Bryan and Denise the variance has not been revoked.

Bryan said Tony refused to sign the permits, so the commissioners must sign. He reiterated he would have liked to have been requested to be put on the agenda so he could be present to represent himself and his supposed intentions before the commissioners had their discussion about the matter.

Paul said the commissioners and Bryan should have a contract stating the house will be built within two (2) years. Pat said if the house building is started within two (2) years he does not have an issue with that ruling. Bryan asked about hardships if the house cannot be built within a certain amount of time but can get started within two (2) years.

Tony said there is a hardship rule within the zoning regulations. He said the variance on a mobile home being removed can be extended by one (1) year, at the homeowner's expense. Tony suggested if the house is not being built then Bryan must remove the mobile home within three (3) years from November 1, 2021.

Bryan asked the commissioners to give him the common courtesy to call him in if there are any other issues about his property instead of having to read it in the paper or hearing about it around town.

Pat made a motion to request Bryan and Denise build a home on the property within three (3) years from November 1, 2021, and to remove the mobile home at that time. Tron seconded. Motion carried.

Tony Martin presented a permit for the landfill to the commissioners to be signed.

He reported the new policy for CDL Licenses requires either automatic or manual and with the manual license, a person can operate both types of vehicles.

Tony said the oil distributor truck is not worth a trade-in like he had planned. Matt with Van Keppel said it is better to put the truck in an auction, as the county would make more money from it. Pat asked if it would be better to keep the truck instead and Tony told the commissioners the truck itself is in good condition as it only has around 65,000 miles, but the oil distributor tank does not work properly and will take more money to fix. Matt suggested the county take the tank off the truck and use it as oil storage and put a dump bed on the truck for more use. He stated there are many other options the county can do with the truck.

Tony wrote up the specs and gave them to Matt and Samuel for review. Matt said the new truck will be a Kenworth chassis with an automatic transmission with a two (2) speed drop box, which is a little different from Tony's specs.

The new oil distributor truck by Van Keppel will cost \$258,825.00. Tony suggested ordering the new truck which would give the county time to decide what to do with the old one. He said the new truck will not be ready until spring which will be just in time to chip and seal.

Paul asked if there were any other vendors who sell these trucks in Kansas and was told Mauldin sells them but has been in lawsuits and other counties have had continuous issues with that company.

The commissioners said they like the idea of pulling the tank off and using it as storage at the asphalt plant but do not feel the truck will run well with a dump bed on it.

Tron suggested putting the truck on PurpleWave.com and if it does not sell then the county would have an extra truck. Tony said there is plenty of time to decide on it.

Matt said with a new truck from Van Keppel they will send two (2) trainers down to spend two to three (2-3) days training the drivers on how to use the truck and sprayer. They will also help re-train chip spreading.

Tony informed the commissioners the special highway fund has around \$572,000.00 which is enough to purchase the truck with money left over.

Pat made a motion to wave all bid requirements and purchase the 2023 Kenworth with auto transmission with a drop box – 3500-gallon Etnyre Centennial oil distributor from Van Keppel for \$258,825.00. Joe seconded. Motion carried.

Tony said he is attending the KAC (Kansas Association of Counties) meeting next week and will have more paperwork from the state on the landfill pit.

Joe asked Tony about his employees. Tony said he has two (2) that will be retiring soon, one (1) on November 1, 2021, and the other in May of 2022. He said the new hire had resigned and went somewhere else. Joe said the county needs to address the money issues of what is being paid to the Road and Bridge employees. There was discussion about changing the starting wage between \$17.50 per hour to \$18.00 per hour. Amy said she will send the updated wage information to the commissioners.

Ross came in and said he is wanting to get rid of the old riding lawn mower and asked what should be done with it. The commissioners told him to take it to the junk yard and get rid of it.

The commissioners discussed the wind farms and stated they are not opposed to anti-wind energy but have concerns about the value to the county including causing a microclimate which would bring cooler temperatures. They suggested having the County Appraiser come to the next meeting when the wind farm company will be here.

Added and Abated Orders were reviewed and approved by commissioners and given to the County Treasurer. The Added Orders for tax year 2017 number 116 total valuation added 72 and tax assessed \$12.71; for tax year 2018 number 165, total valuation added \$12.85; 2019 number 265, total valuation added 72 and tax assessed \$11.96; 2021 number 78, total value added 2852 and tax assessed \$600.45. Abated Orders for tax year 2017 numbers 114 thru 115, total valuation removed 13,308 and tax assessed -\$2,145.60; for tax year 2018 numbers 162 and 164 total valuation removed 14,625 and tax assessed of -\$2,387.50; tax year 2019 numbers 262 thru 264 total valuation removed 28,941 and tax -\$4,363.13; tax year 2021 numbers 77, 79 thru 80 total valuation removed 21,857 and tax -\$3,709.51. Total valuation of -75,663 and total tax assessed -\$11,967.77.

By motion, the Board adjourned.

Attest: Amy Jo Tharp, County Clerk

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Tron Stegman, Chairman