



RENO COUNTY COMMISSION
206 West First Avenue
Hutchinson, Kansas 67501-5245
(620) 694-2929
Fax (620) 694-2928

TO: ALL INTERESTED PARTIES
FROM: BOARD OF COMMISSIONERS
RE: NOTICE OF MEETINGS
DATE July 8, 2016

The Reno County Board of Commissioners will meet as regularly scheduled at 9:00 a.m. on Tuesday, July 12, 2016, in Commission Chambers to hold their Agenda Session.

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AGENDA SESSION
RENO COUNTY COMMISSION
COMMISSION CHAMBERS OF COURTHOUSE
Tuesday, July 12, 2016
9:00 A.M.

1. Roll Call:

Deming _____ Dillon _____ Schlickau _____

2. Pledge of Allegiance to the American Flag and Prayer

3. Determine Additions to the Agenda (Restricted to subject matters that were not known at the time of the agenda publication and to subject matters that require immediate Board discussion and/or action and which cannot be deferred to a later date.)

4. Public Comment on Items not on the Agenda. Please come forward to the podium, state your name and address and limit your remarks to not more than 5 minutes per item.

5. Consent Agenda (items considered routine for approval. If any commissioner or person in the audience would like further discussions or explanation of any item they may ask that it be removed from the consent agenda for additional consideration.

- a. Vouchers (bills or payments owed by the county or related taxing units) totaling _____.
- b. Appoint Vickie Quick and Brenda Brown to the Health Department Advisory Board, effective immediately, for terms expiring December 31, 2018.
- c. New application of Cereal Malt Beverage License for Park Partners LLC, dba Cottonwood Hills Golf Club.
- d. **PROCLAMATION:** Proclaiming the month of July 2016 as "Ulster Project of Reno County Month". Accepting the proclamation on behalf of the Ulster Project of Reno County are Kellyn McCarley and Shaun Knipp from Hutchinson; Chris McGuire and Racheal Beattie from Portadown, Northern Ireland.

Motion for consent agenda items: Approval _____ Disapproval _____

Motion _____ Second _____

Dillon _____ Schlickau _____ Deming _____

6. Invitation to the Reno County Fair from the 4-H Ambassadors

7. Consider for approval a request from the Sheriff's Office to purchase two (2) 2016 Ford Utility Police Interceptor SUVs from Midway Motors for a total price of \$53,296. AI

Motion for action: Approval _____ Disapproval _____

Motion _____ Second _____

Dillon _____ Schlickau _____ Deming _____

8. Consider for approval the recommendation to renew a contract with Canon for the lease and maintenance of 35 copiers for 60 months. AI

Motion for action: Approval _____ Disapproval _____

Motion _____ Second _____

Dillon _____ Schlickau _____ Deming _____

9. Consider for approval a request to decide and execute an Assignment of Partition Fence following the July 5, 2016 fence viewing (Troyer/Rayl properties). AI

Motion for action: Approval _____ Disapproval _____

Motion _____ Second _____

Dillon _____ Schlickau _____ Deming _____

10. Consider for approval a Resolution approving a conditional use permit to establish an indoor storage facility, CrossFit gym and event center located at 4601 N. Plum Street. AI

Motion for action: Approval _____ Disapproval _____

Motion _____ Second _____

Dillon _____ Schlickau _____ Deming _____

11. Consider an agreement between BNSF Railroad Company, Reno County and Kansas Department of Transportation for construction and maintenance of highway crossing signals at Woodberry Road Mile 20, directly south of US 50 Hwy. DI

12. Preliminary Discussion of the 2017 Budget

13. Discussion of items added to the agenda

14. Department update from Information Services Director Mike Mathews

15. Department update from Community Corrections Director Randy Regehr

16. Adjournment

Items listed on the agenda as "DI" (Discussion Item) will normally be discussed that day and voted on the following week. Items listed as "AI" (Action Item) will normally be voted on that day unless postponed for further discussion or to await additional information. The Commission reserves the right to take a final vote on any agenda item but normally, on items coming up for the first time discussion, will await the following week for a final vote.



**AGENDA
ITEM #5b**

AGENDA REQUEST

PROPOSED AGENDA ITEM: Appoint Health Department Advisory Board Members - Brenda Brown and Vickie Quick

PRESENTED BY: Nick Baldetti

RECOMMENDED ACTION: Appointment of Advisory Board Members

BACKGROUND/DISCUSSION DATE: Tuesday, July 12, 2016

PROPOSED AGENDA DATE: Tuesday, July 12, 2016

FINANCIAL CONSIDERATIONS:

Cost: _____ Funding Source: Is it budgeted? _____

Fund/Dept.: _____ Effective Date: _____

Revenue: _____

Grant Amount: _____ Local Match: _____

LEGAL CONSIDERATIONS: If the Agenda Item concerns a Contract, Agreement, Policy, County Resolution, or other matter involving legal issues, has it been reviewed by the County Counselor for legal form/sufficiency/recommendation? _____

**Will this Agenda Item replace an existing policy, agreement, contract or resolution?
If Yes, please explain:** _____

OTHER: _____

OPTIONS/ALTERNATIVES: If not approved, are there other options alternatives available? _____

**Request for Appointment of new members to Reno
County Health Department Advisory Board.**

Vickie Quick

USD 308

Term: Current to December 31, 2018

Brenda Brown

Horizon's Mental health Center

Term: Current to December 31, 2018



RENO COUNTY AGENDA REQUEST

PROPOSED AGENDA ITEM:

Consideration of a New Application of a Cereal Malt Beverage License for Park Partners LLC DBA Cottonwood Hills Golf Club

PRESENTED BY: Co Clerk

RECOMMENDED ACTION: Approval

PROPOSED AGENDA DATE: 07/12/2016

BACKGROUND/DISCUSSION: Have you provided the Board of County Commissioners with the background necessary in a prior discussion before placement of this item on the Agenda? YES

FINANCIAL CONSIDERATIONS:

COST: \$ _____
FUNDING SOURCE: Is it budgeted? _____
FUND/DEPT _____
EFFECTIVE DATE: _____
REVENUE: \$ _____
GRANT AMOUNT: \$ _____
LOCAL MATCH: \$ _____

LEGAL CONSIDERATIONS: If the Agenda Item concerns a Contract, Agreement, Policy, County Resolution, or other matter involving legal issues, has it been reviewed by the County Counselor for legal form/sufficiency/recommendation? _____

Will this Agenda item replace an existing policy, agreement, contract or resolution?
_____ If "Yes", please explain:

OTHER: _____

OPTIONS/ALTERNATIVES: If not approved, are there other options/alternatives available? _____

APPROVED:

Chairman

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGE

(This form has been prepared by the Attorney General's Office)

City or County of Rawl

| SECTION 1 - LICENSE TYPE | |
|--|--|
| Check One: <input checked="" type="checkbox"/> New License <input type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit | |
| Check One: <input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises. | |

| SECTION 2 - APPLICANT INFORMATION | | | |
|--|--|--------------------|--------------------------|
| Kansas Sales Tax Registration Number (required): <u>8243626 KANSAS</u> | | | |
| Kansas Sales Tax Registration Number (required): <u>81-2331237 FEDERAL</u> | | | |
| Name of Corporation <u>Parik Partners LLC</u> | Principal Place of Business <u>COTTONWOOD HILLS GOLF CLUB</u> | | |
| Corporation Street Address <u>1501 S MAIZE Rd</u> | Corporation City <u>HUTCHINSON WICHITA</u> | State <u>KS</u> | Zip Code <u>67209</u> |
| Date of Incorporation <u>4/2016</u> | Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Resident Agent Name <u>Alan B Clark</u> | Phone No. <u>314 406 6214</u> | | |
| Residence Street Address <u>1301 S MAIZE Rd</u> | City <u>Wichita</u> | State <u>KS</u> | Zip Code <u>67209</u> |

| SECTION 3 - LICENSED PREMISE | | | |
|---|---|---|-----|
| Licensed Premise (Business Location or Location of Special Event) | | Mailing Address (If different from business address) | |
| DBA Name <u>COTTONWOOD HILLS GOLF CLUB</u> | Name | | |
| Business Location Address <u>1014 N. BOHLER ROAD</u> | Address | | |
| City <u>HUTCHINSON</u> State <u>KANSAS</u> Zip <u>67501</u> | City | State | Zip |
| Business Phone No. <u>620 878 0087</u> | <input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location. | | |
| Business Location Owner Name(s) <u>ALAN B CLARK PARIK PARTNERS LLC</u> | | | |

| SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK | | | |
|---|---|------------------------------------|----------|
| List each person and their spouse, if applicable. Attach additional pages if necessary. | | | |
| Name <u>ALAN B CLARK</u> | Position <u>Managing Partner</u> | Date of Birth <u>12/29/1960</u> | |
| Residence Street Address <u>1301 S MAIZE Rd</u> | City <u>Wichita</u> State <u>KS</u> | Zip Code <u>67209</u> | |
| Spouse Name <u>DIANE STEVEN CLARK</u> | Position | Date of Birth | |
| Residence Street Address <u>1301 S MAIZE</u> | City | State | Zip Code |
| Name | Position | Date of Birth | |
| Residence Street Address | City | State | Zip Code |
| Spouse Name | Position | Age | |
| Residence Street Address | City | State | Zip Code |
| Name | Position | Date of Birth | |
| Residence Street Address | City | State | Zip Code |
| Spouse Name | Position | Age | |
| Residence Street Address | City | State | Zip Code |

Donna Patton
COUNTY CLERK

| SECTION 5 – MANAGER OR AGENT INFORMATION | | |
|--|----------------------------------|---|
| My place of business or special event will be conducted by a manager or agent. | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, provide the following: | | |
| Manager/Agent Name <i>Alan Crane</i> | Phone No. <i>314 406 6214</i> | Date of Birth <i>10/24/60</i> |
| Residence Street Address <i>1301 Smaize Rd</i> | City <i>Wichita</i> | Zip Code <i>67209</i> |
| Manager or Agent Spousal Information | | |
| Spouse Name <i>Diane Steven Crane</i> | Phone No. <i>580 254 0755</i> | Date of Birth <i>10/24/60</i> |
| Residence Street Address <i>1301 Smaize Rd</i> | City <i>Wichita</i> | Zip Code <i>67209</i> |

| SECTION 6 – QUALIFICATIONS FOR LICENSURE | |
|--|---|
| Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which: (1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| All of the individuals identified in Sections 4 & 5 are at least 21 years of age ¹ . | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

| SECTION 6 – DURATION OF SPECIAL EVENT | | |
|---------------------------------------|------|---|
| Start Date | Time | <input type="checkbox"/> AM <input type="checkbox"/> PM |
| End Date | Time | <input type="checkbox"/> AM <input type="checkbox"/> PM |

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE *Alan B Crane* DATE *6/26/2016*

| FOR CITY/COUNTY OFFICE USE ONLY: | |
|--|--|
| <input type="checkbox"/> License Fee Received Amount \$ _____ Date _____ (\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license) | |
| <input type="checkbox"/> \$25 CMB Stamp Fee Received Date _____ | |
| <input type="checkbox"/> Background Investigation <input type="checkbox"/> Completed Date _____ <input type="checkbox"/> Qualified <input type="checkbox"/> Disqualified | |
| <input type="checkbox"/> New License Approved Valid From Date _____ to _____ By: _____ | |
| <input type="checkbox"/> License Renewed Valid From Date _____ to _____ By: _____ | |
| <input type="checkbox"/> Special Event Permit Approved Valid From Date _____ to _____ By: _____ | |

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

¹ Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee, \$ 125.00

RETAIL

No. 416

DEALER'S



LICENSE

TO ALL WHOM IT MAY CONCERN:

License is hereby granted to PARK PARTNERS LLC DBA COTTONWOOD HILLS GOLF CLUB to sell at retail

CEREAL MALT BEVERAGES

CONSUMPTION ON THE PREMISES

(State if for consumption on the premises, or for sale in original and unopened containers and not for consumption on the premises.)

at 1014 N BUHLER ROAD HUTCHINSON, KS 67501
(Give exact location, with street number, if any.)

in the Township of VALLEY in RENO County, Kansas,
Application therefor, on file in the office of the County Clerk of said County, having been approved by the governing body of said Township, as provided by the Laws of Kansas, and the regulations of the Board of County Commissioners.

This License will expire JULY 15, 2017, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Done by the Board of County Commissioners of RENO County, Kansas,

this 12TH day of JULY, 2016

Attest: *Donna Patton*
County Clerk Chairman



PROCLAMATION

Searching for ways to bring peace to Northern Ireland, Church of Ireland's Canon Kerry Waterstone and his wife Edie initiated a strategy 40 years ago in 1975 to introduce young Catholic and Protestant teens to tolerance and understanding before they become involved in the country's longstanding conflict.

WHEREAS, Hutchinson, Reno County was approved to become the 28th host city for the international peace project in the year 2000 and is hosting its seventeenth project this year; and

WHEREAS, a dozen teens from within Reno County, 1/2 Protestant and 1/2 Catholic with an equal division among gender, will host the 14 teens from Portadown, Northern Ireland during the month of July and several adults will host Northern Irish adult counselors; and

WHEREAS, the teens will work alongside each other in multiple public service projects within Reno County; and

WHEREAS, the Ulster Project will work to strengthen the ecumenical ties of cooperation among the churches of the host community; and

WHEREAS, the Ulster Project will transform young Christians into leaders and peacemakers; and

WHEREAS, members of the Reno County Community have united in the effort to help usher peace into Northern Ireland by providing meals, cash and product donations, volunteering transportation and labor, planning or recognition and opening their homes to these guests, both teens and counselors;

NOW THEREFORE, The Reno County Commission does hereby proclaim the month of July 2016 as

“ULSTER PROJECT OF RENO COUNTY MONTH”

and encourage all citizens of Reno County to recognize the effort.

IN WITNESS WHEREOF, WE HEREUNTO SET OUR HANDS AND CAUSE THE seal of Reno County, Kansas to be affixed this 12th day of July 2016.

BOARD OF RENO COUNTY
COMMISSIONERS

Dan Deming, Chairperson

James D. Schlickau, Member

Brad D. Dillon, Member

ATTEST: _____
Donna Patton, Reno County Clerk

Quote Summary for 2016 All-Wheel Drive SUV Police Package Vehicle

AGENDA
ITEM #7

| | | | |
|---|---|---|---|
| Dealer quotes sent out by email. Listed by dealer name. | Midwest Ford, 2016 Ford, Interceptor, SUV | Midway Motors, 2016 Ford Interceptor, SUV | Mel Hambelton Ford, 2016 Ford Intercepto, SUV |
| Location of Dealer (City) | Hutchinson, KS | Hutchinson, KS | Wichita, KS |
| Bid due date | 6/30/2016 | 6/30/2016 | 6/30/2016 |
| Listed actual price, per vehicle | Nothing Received | 26,648.00 | Nothing Received |
| Total cost for 1 Vehicles | | \$26,648.00 | |
| Cost for two Vehicles | | \$53,296.00 | |
| Delivery Date | 90 to 120 days | 90 to 120 days | 90 to 120 days |

KUDY = 1 OF 7



iff: Randy Henderson
Undersheriff: Shaun McHaley

RENO COUNTY
Sheriff's Office
210 West First Ave.
Hutchinson, Kansas 67501-5298
(620) 694-2735 office (620) 694-2702 fax
TDD: Kansas Relay Center 1-800-766-3777

REQUEST FOR QUOTES
RENO COUNTY SHERIFF'S DEPARTMENT
SPECIFICATIONS FOR
ONE 2016 FORD INTERCEPTOR AWD UTILITY VEHICLE

The Reno County Sheriff's Department will accept quotes on this form anytime before 9:00AM, Thursday June 30, 2016 at the Reno County Sheriff's Office, 210 West 1st Street, Hutchinson, Ks 67501. The Reno County Sheriff's designee will then open the quotes at 9:00AM on the second floor mezzanine of the Reno County Courthouse. Envelopes shall be marked clearly "ONE 2016 FORD INTERCEPTOR AWD SUV." These specifications are written with the intention of obtaining quotes on like equipment. This equipment shall have new 2016 model equipped standard equipment and meeting or exceeding the following. Special consideration may be granted for vehicles exceeding the minimum safety equipment listed.

✓ **2016 Ford Utility Police Interceptor, Sport Utility AWD Base**

✓ **Engine: 3.7L V6 Ti-VCT FFV**

✓ **Transmission: 6-Speed Automatic**

3.65 Axle Ratio

GVWR: 6300lbs

Tires :P245/55R18 AS BSW

Wheels: 18" X 8" 5-Spoke Painted Black Steel W/center cap and full spare

Options Required:

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| ✓ F | Unique HD Cloth Front Bucket Seats/Cloth Rear |
| STDRD | Radio: MyFord AM/FM/CD/MP3 Capable |
| ✓ 153 | Front License Plate Bracket |

- ✓ 47C Police Wire Harness Connector Kit-Front
- ✓ 21P Police Wire Harness Connector Kit-Rear
- ✓ 43D Dark Car Feature
- ✓ 51R Driver Only LED Spot Lamp (Unity)
- ✓ 92R 2nd Row Only Solar Tint Glass
- ✓ 16C 1st & 2nd Row Carpet Floor Covering
- ✓ 595 5-Remote Keyless Entry Key Fobs w/o Key Pad
- ✓ 55D Scuff Guards
- ✓ LK Dark Blue
- ✓ FW Charcoal Black

NOTE: If the foregoing specifications are in conflict or are less than those set forth in the code of safety requirements of the Federal Department of Transportation for new vehicles, then in such instances the Federal Code shall apply.

Reno County reserves the right to waive minor technicalities under this specification, and to reject any or all quotes, which, in its opinion, is in the best interest of Reno County.

The equipment shall be installed to meet the current Kansas statues regarding size, weight and load of vehicles. The AWD Utility Vehicle shall be delivered F.O.B. to Hutchinson, Ks.

Please quote with and without trade.

NO TRADE IN * (PP)

Total quote for ^{two} ~~one~~ unit **WITHOUT** trade: # 26,648 x 2 # 53,296

NO DEALER BADGING

* (PP) Rudy Perez

WARRANTY FOR POLICE USE: 36,000 miles 3yr bumper to bumper 60,000 miles 5yr. Powertrain

Is vehicle equipped with speed/throttle cutoff? YES

If so, at what speed does the speed/throttle cutoff? 131

Can the speed cutoff be factory raised for Police use? NO *

Guaranteed Delivery Date: 90-120 Company name: Midway Motors

6-22-16
Date

[Signature]
Signature

Enclose any additional materials or illustrations that would assist in the clarification of your quote specifications.

If your quote is accepted, payment will be made on the county's next regular payment day after delivery and certification that specifications were met.

Date

Sergeant Rick Newton 424
Reno County Sheriff Dept

** My fleet speed management
43\$ option code #58⁰⁰
The speed can only be lowered with this option in
5 mph increments, with the 43\$ option.*

CNGP530

VEHICLE ORDER CONFIRMATION

06/22/16 12:18:57

==>

Dealer: F53553

2017 EXPLORER 4-DOOR

Page: 1 of 1

Order No: 9999 Priority: H3 Ord FIN: QJ830 Order Type: 5B Price Level: 725

Ord Code: 500A Cust/Flt Name: RENO COUNTY

PO Number:

| | RETAIL | | RETAIL |
|----------------------|---------|-------------------------------|--------|
| K8A 4DR AWD POLICE | \$31510 | 595 KEYLESS W/O PAD | \$260 |
| .112.6" WB | | 794 PRICE CONCESSN | |
| LK DARK BLUE | | REMARKS TRAILER | |
| F CLTH BUCKETS/RR | 60 | 92R SOLAR TINT 2ND | 85 |
| W EBONY BLACK | | FLEX-FUEL | |
| 500A EQUIP GRP | | 153 FRT LICENSE BKT | NC |
| .PREM SINGLE CD | | SP DLR ACCT ADJ | |
| 99R .3.7L V6 TIVCT | NC | SP FLT ACCT CR | |
| 44C .6-SPD AUTO TRAN | NC | FUEL CHARGE | |
| 16C CARPET FLR COV | 125 | B4A NET INV FLT OPT | NC |
| 21P WIRING KIT-RR | 130 | DEST AND DELIV | 945 |
| 43D COURTESY DISABL | 20 | TOTAL BASE AND OPTIONS | 33725 |
| 47C WIRING KIT-FRT | 105 | TOTAL | 33725 |
| 51R DRV LED SPT LMP | 395 | *THIS IS NOT AN INVOICE* | |
| 55D SCUFF GUARDS | 90 | *TOTAL PRICE EXCLUDES COMP PR | |

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

F9=View Trailers

S099 - PRESS F4 TO SUBMIT

QC07330

AGENDA
ITEM #9

ASSIGNMENT OF PARTITION FENCE

(K.S.A. 29-304)

COMES NOW the Board of County Commissioners of Reno County, Kansas, and states
and finds as follows:

1. That this Board of County Commissioners, acting as Fence Viewers, upon the application of Clinton Troyer dated June 3, 2016, and following notice to all parties of interest, did on July 5, 2016, at approximately 11:00 a.m. view that certain partition fence located on the quarter section line common to the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 15, Township 23 South, Range 4 West of the 6th P.M., Reno County, Kansas.
2. That present at the fence viewing were the following: Clinton Troyer, Tedd Kimmel, Senior Vice President, Farm Management Services, First National Bank of Hutchinson, acting as Agent for Jeanette J. Wyatt, Trustee and Jeannine A. Rayl, Trustee, and Curtis Sanders.
3. That having reviewed the partition fence, having heard the statements of the parties in attendance, and being well and duly informed, the Board of County Commissioners made the following assignment to each party of his, her or their equal share or part of the partition fence, to be by him, her or them kept up in good repair, all pursuant to K.S.A. 29-304, to wit:
 - A. To Clinton Troyer and succeeding occupants of the aforementioned Southwest Quarter (SW/4) of Section 15, Township 23 South, Range 4 West of the 6th P.M., Reno County, Kansas, the North one-half (1/2) of said fence.
 - B. To Jeanette J. Wyatt, Trustee of the Jeanette J. Wyatt Revocable Trust and Jeannine A. Rayl, Trustee of the Jeannine A. Rayl Revocable Trust, and all succeeding occupants of the aforementioned Southwest Quarter (SW/4) of Section 15, Township 23 South, Range 4 West of the 6th P.M., the South one-half (1/2) of said fence.

DATED this 12th day of July, 2016.

BOARD OF COUNTY COMMISSIONERS
OF RENO COUNTY, KANSAS, Acting as
Fence Viewers Pursuant to K.S.A. 29-304

Dan Deming, Chairman

James D. Schlickau, Member

Brad Dillon, Member

ATTEST:

Reno County Clerk



AGENDA REQUEST

**AGENDA
ITEM #10**

A resolution approving Case #2016-01. A request by IdeaTek Equity Group, LLC for a conditional use permit to establish an indoor storage facility, CrossFit gym, and event center at 4601 N. Plum St.

PROPOSED AGENDA ITEM: _____

PRESENTED BY: Mark Vonachen, County Planner II

RECOMMENDED ACTION: Approval

BACKGROUND/DISCUSSION DATE: 7/12/16

PROPOSED AGENDA DATE: 7/12/16

FINANCIAL CONSIDERATIONS:

Cost: _____ Funding Source: Is it budgeted? _____

Fund/Dept.: _____ Effective Date: _____

Revenue: _____

Grant Amount: _____ Local Match: _____

LEGAL CONSIDERATIONS: If the Agenda Item concerns a Contract, Agreement, Policy, County Resolution, or other matter involving legal issues, has it been reviewed by the County Counselor for legal form/sufficiency/recommendation? Yes

**Will this Agenda Item replace an existing policy, agreement, contract or resolution?
If Yes, please explain: No**

OTHER:

OPTIONS/ALTERNATIVES: If not approved, are there other options alternatives available? No

RESOLUTION 2016-

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR THE ESTABLISHMENT OF AN INDOOR STORAGE FACILITY,
CROSSFIT GYM, AND EVENT CENTER ON A PARCEL LOCATED IN THE
SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 22 SOUTH, RANGE 6
WEST OF THE 6TH P.M. IN RENO COUNTY, KANSAS**

WHEREAS, IdeaTek Equity Group, LLC by and through Jerrod Reimer, CEO, applied for a Conditional Use Permit to establish an indoor storage facility, CrossFit gym, and event center upon a defined parcel located in the Southeast Quarter of Section twenty-five (25), Township Twenty-two (22) South, Range Six (6) West in Reno County, Kansas; and

WHEREAS, said parcel is currently zoned R-1 – Rural Residential District for residential use in accordance with the Reno County Zoning Regulations; and an indoor storage facility, CrossFit gym, and event center are permitted in the R-1 Zoning District with a Conditional Use Permit; and

WHEREAS, the Reno County Planning Commission conducted a public hearing on the Application on June 16, 2016, following satisfaction of all notice requirements for such hearing as required by K.S.A. 12-757; and

WHEREAS, at the public hearing all interested parties were provided an opportunity to be heard; and the Reno County Planner presented a written report for the Conditional Use Permit dated June 9, 2016 which report included a discussion and application under the heading “FACTORS” to be considered when applying land use decisions pursuant to Golden v. City of Overland Park, 224 Kan. 591; and a staff recommendation in support of the Application; and

WHEREAS, the Reno County Planning Commission adopted and recommended approval of the Conditional Use Permit with conditions based upon the Reno County

Planner's analysis of the "FACTORS" to be considered pursuant to *Golden* and other factors as outlined in the Reno County Zoning Regulations numbered one through ten inclusive; and

WHEREAS, on June 28, 2016, the Reno County Commission at its regular public meeting received a Summary Report dated June 21, 2016, of the proceedings before the Reno County Planning Commission and the Planning Commission's recommendation of approval of the Conditional Use Permit with special conditions; and

WHEREAS, on July 5, 2016, the matter was again before the Board of County Commissioners for further consideration and comment; and upon conclusion of the Board's deliberations, Commissioner Dillon moved to approve the Planning Commission's recommendation for approval of the Conditional Use Permit without the special conditions recommended by the Planning Commission but subject to the document submitted by the applicant entitled "Concept Site Plan – Option 2". In support of his motion, Commissioner Dillon cited "FACTORS" numbered one through ten found in the analysis presented within the Reno County Planner's Summary Report under the heading "FACTORS". Commissioner Schlickau seconded the motion and made special mention of "FACTORS" one, four, and eight. The motion was approved by unanimous vote.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, that the above and foregoing findings are adopted as the decision of this Board. The aforesaid Conditional Use Permit Application made by IdeaTek Equity Group, LLC is approved.

APPROVED AND ADOPTED in regular session this 12th day of July, 2016.

BOARD OF COUNTY COMMISSIONERS
OF RENO COUNTY, KANSAS

Dan Deming, Chairman

James D. Schlickau, Member

Brad D. Dillon, Member

ATTEST:

Donna Patton, County Clerk



AGENDA REQUEST

**AGENDA
ITEM #11**

Consider for approval an agreement between BNSF Railroad Company, Reno County and the Kansas Department of Transportation for construction and maintenance of Highway Crossing Signals at Woodberry Road Mile 20 directly south of US 50 Hwy (State

PROPOSED AGENDA ITEM: Project 78 X-2942-01)

PRESENTED BY: David McComb

RECOMMENDED ACTION: Approval and Signatures

BACKGROUND/DISCUSSION DATE: Tuesday, July 12, 2016

PROPOSED AGENDA DATE: Tuesday, July 19, 2016

FINANCIAL CONSIDERATIONS:

Cost: n/a Funding Source: Is it budgeted? n/a

Fund/Dept.: n/a Effective Date: n/a

Revenue: n/a

Grant Amount: n/a Local Match: n/a

LEGAL CONSIDERATIONS: If the Agenda Item concerns a Contract, Agreement, Policy, County Resolution, or other matter involving legal issues, has it been reviewed by the County Counselor for legal form/sufficiency/recommendation? Yes

Will this Agenda Item replace an existing policy, agreement, contract or resolution?

If Yes, please explain: n/a

OTHER: n/a

OPTIONS/ALTERNATIVES: If not approved, are there other options alternatives available? n/a

Agmt. No. 006163016

A G R E E M E N T

BNSF Railway Company
Crossing Signals and Gates

Project No. 78 X-2942-01
HSIP-X294(201)
Reno County, Kansas

Agreement between the BNSF Railway Company, the County of Reno, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code 23.

* * * * *

This agreement, made and entered into this _____ day of _____, _____, by and between the BNSF Railway Company, a corporation, hereinafter referred to as the "Company", the County of Reno, Kansas, hereinafter referred to as the "County", and the Secretary of Transportation of the State of Kansas, hereinafter referred to as the "Secretary".

WITNESSETH:

WHEREAS, the Secretary proposes to submit to the Federal Highway Administration of the United States Department of Transportation a project providing for the installation of railway-highway crossing signals, flashing light straight post type and gates at a grade crossing (DOT #008869J) on Woodberry Road, Reno County, Kansas, said project to be known and designated as Project No. 78 X-2942-01; HSIP-X294(201) and more particularly described as follows:

at the intersection of Woodberry Road and the Company's tracks approximately 400 feet south of the Northwest Corner of Section 30, Township 23 South, Range 3 West, in Reno County, Kansas,

and will recommend its approval for construction under Section 130, United States Code 23 and amendments thereto, and

WHEREAS, the locations for the warning devices were determined by a diagnostic team consisting of representatives of the Company, the County, and the Secretary, and

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, and subject to the approval of the Federal Highway Administration, it is hereby agreed by the parties hereto:

1. The total cost of the project will be funded one-hundred percent (100%) using Federal Section 130 Funds, including preliminary engineering, construction, sales tax, users tax and such other items as are properly chargeable to the project under Section 130, United States Code 23 and amendments thereto.

2. The County will install and maintain the advance warning signs and pavement markings.

3. The Company will provide the Secretary with a copy of the bill of materials and the detailed estimate of the cost of the project. The estimate to be attached to and become a part of this agreement.

4. After being notified by the Secretary that the project has been approved and that work may begin, the Company will notify the Secretary's Area Engineer at El Dorado, Kansas, at least one week in advanced of the date that work on the project is to be started and should withdrawal from the project become necessary for any reason, the Company will each time notify the Secretary's Area Engineer of the date that work on the project is to be resumed.

5. The Company will remove the existing crossbucks and will install the new straight post signals and gates and make all connections necessary for their successful operation, and do all incidental and appurtenant work in accordance with the project and the "Manual on Uniform Traffic Devices". The Company will furnish all of the material and do all of the work with its own forces, or the work may be done by a contractor paid under a contract let by the Company in compliance with the provisions of 23 C. F. R., Chapter I, Subchapter B, Part 140, Subpart I. Said Title 23 Code of Federal Regulations (23 C. F. R.) is by reference made a part of this agreement. If this work is to be done by a contractor paid under a contract let by the Company, prior written approval shall be obtained from the Secretary. The estimated schedule by the Company for the completion of the work for this project is one year from the date of this agreement.

6. This Agreement is subject to and the Company agrees to comply with 23 U.S.C. 313 ("Buy America") and 23 C.F.R 635.410 ("Buy America requirements") which require that all iron and steel permanently incorporated in the Company's facilities that are constructed under this Agreement shall have been manufactured, produced, and processed in the United States. Manufacturing processes include any process which modifies the chemical content, the physical size or shape, or the final finish of the iron or steel. These processes include initial melting, mixing, rolling, machining, extruding, bending, grinding, drilling, and coatings applied to iron or steel (including epoxy coatings, galvanizing, painting, and any other coating that protects or enhances the value of the iron or steel used). Companies providing iron or steel or performing any manufacturing processes on the iron or steel shall include a "Buy America" statement on test reports and material certifications submitted to the Company. The "Buy America" statement shall identify the source of the iron or steel and the location(s) of the manufacturing processes. The statement shall certify that the company issuing the test report or material certification complies with all provisions of the Buy America Act. Buy America requirements do not apply to temporary items (Example: temporary sheet piling, steel scaffolding, and falsework) on the contract, even if these items are left in place with the Engineer's approval. The Company will include the test results and material certifications with its billing to the Secretary.

7. The Company will keep detailed and accurate records of all labor, materials, supplies, incidentals and all other necessary costs involved in carrying out the work performed by the Company under the terms of this agreement, and will give access to such records at any time during regular office hours to any authorized representative of the Secretary or of the Federal Highway Administration, for a period of three years from the date final payment has been received by the Company.

8. Preparation of preliminary estimates, procurements, performance of work, expenditures, billing and reimbursement shall all be done in accordance with 23 C. F. R., Chapter I, Subchapter B, Part 140, Subpart I.

9. To reimburse the Company within thirty (30) calendar days after receipt of the undisputed portion of any invoice for cost incurred for work done by the Company in accordance with the provisions of this Agreement except amounts retained from each billing and payment of the final billing pursuant to paragraph 10.

10. The Company will submit to the Secretary's Area Engineer a final and complete billing of the incurred costs within one year after the completion of the work, and the Secretary will pay an amount equal to ninety-five percent (95%) of the total amount of each billing for this project pending final audit. Upon completion of final audit, the Secretary will reimburse the Company for the total amount of the final billing found eligible for payment under federal auditing standards, cost principles and regulations. The Company will reimburse the Secretary for one hundred percent (100%) of the amount of all items in the Company's bill which are found to be ineligible for payment under federal auditing standards, cost principles and regulations.

11. The Company shall have title to the signals and gates and at its own cost and expense will maintain the signals and gates and will make ample provision each year for such maintenance, provided, however, the Company shall be entitled to receive any contribution toward the cost of such maintenance as may be now, or hereafter made available by reason of any law, ordinance, regulation, order, grant or by other means or sources.

12. The parties hereto do hereby agree that the "Special Attachment No. 1" herewith, pertaining to the implementation of Title VI of the Civil Rights Act of 1964, is hereby made a part of this agreement.

13. The Company does agree that the "Special Attachment No. 2" herewith, pertaining to lobbying, is hereby made a part of this agreement.

14. It is further understood that this agreement and all contracts entered into under the provisions of this agreement shall be binding upon the Company, the County and the Secretary and their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in triplicate by their proper officers on the day and year first herein written.

MICHAEL S. KING
SECRETARY OF TRANSPORTATION

BY: _____
SCOTT W. KING, P.E., CHIEF
BUREAU OF ROAD DESIGN

BNSF RAILWAY COMPANY

BY: Kamalah Young
TITLE: Manager of Public Projects

ATTEST:

RENO COUNTY

COUNTY CLERK

PRESIDENT OF GOVERNING BODY

KANSAS DEPARTMENT OF TRANSPORTATION

Special Attachment
To Contracts or Agreements Entered Into
By the Secretary of Transportation of the State of Kansas

NOTE: Whenever this Special Attachment conflicts with provisions of the Document to which it is attached, this Special Attachment shall govern.

THE CIVIL RIGHTS ACT OF 1964, and any amendments thereto,
REHABILITATION ACT OF 1973, and any amendments thereto,
AMERICANS WITH DISABILITIES ACT OF 1990, and any amendments thereto,
AGE DISCRIMINATION ACT OF 1975, and any amendments thereto,
EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN
MINORITY POPULATIONS AND LOW INCOME POPULATIONS (1994), and any amendments thereto,
49 C.F.R. Part 26.1 (DBE Program), and any amendments thereto

NOTIFICATION

The Secretary of Transportation for the State of Kansas, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), §504 of the Rehabilitation Act of 1973 (87 Stat. 3555) and the Americans with Disabilities Act of 1990 (42 USC 12101), the Age Discrimination Act of 1975 (42 USC 6101), the Regulations of the U.S. Department of Transportation (49 C.F.R., Part 21, 23, and 27), issued pursuant to such ACT, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (1994), and the DBE Program (49 C.F.R., Part 26.1), hereby notifies all contracting parties that, the contracting parties will affirmatively insure that this contract will be implemented without discrimination on the grounds of race, religion, color, gender, age, disability, national origin, or minority populations and low income populations as more specifically set out in the following seven "Nondiscrimination Clauses".

CLARIFICATION

Where the term "consultant" appears in the following seven "Nondiscrimination Clauses", the term "consultant" is understood to include all parties to contracts or agreements with the Secretary of Transportation of the State of Kansas.

Nondiscrimination Clauses

During the performance of this contract, the consultant, or the consultant's assignees and successors in interest (hereinafter referred to as the "Consultant"), agrees as follows:

- (1) Compliance with Regulations: The consultant will comply with the Regulations of the U. S. Department of Transportation relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation (Title 49, Code of Federal Regulations, Parts 21, 23 and 27,

hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

- (2) **Nondiscrimination:** The consultant, with regard to the work performed by the consultant after award and prior to the completion of the contract work, will not discriminate on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Material and Equipment:** In all solicitations, either competitive bidding or negotiation made by the consultant for work to be performed under a subcontract including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by the consultant of the consultant's obligation under this contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations.
- (4) **Information and Reports:** The consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and the Secretary of the Transportation of the State of Kansas will be permitted access to the consultant's books, records, accounts, other sources of information, and facilities as may be determined by the Secretary of Transportation of the State of Kansas to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a consultant is in the exclusive possession of another who fails or refuses to furnish this information, the consultant shall so certify to the Secretary of Transportation of the State of Kansas and shall set forth what efforts it has made to obtain the information.
- (5) **Employment:** The consultant will not discriminate against any employee or applicant for employment because of race, religion, color, gender, age, disability, or national origin.
- (6) **Sanctions for Noncompliance:** In the event of the consultant's noncompliance with the nondiscrimination provisions of this contract, the Secretary of Transportation of the State of Kansas shall impose such contract sanctions as the Secretary of Transportation of the State of Kansas may determine to be appropriate, including, but not limited to,
 - (a) withholding of payments to the consultant under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (7) **Disadvantaged Business Obligation**

- (a) Disadvantaged Businesses as defined in the Regulations, shall have a level playing field to compete fairly for contracts financed in whole or in part with Federal funds under this contract.
 - (b) All necessary and reasonable steps shall be taken in accordance with the Regulations to ensure that Disadvantaged Businesses have equal opportunity to compete for and perform contracts. No person(s) shall be discriminated against on the basis of race, color, gender, or national origin in the award and performance of federally-assisted contracts.
 - (c) The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of Federally-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.
- (8) Executive Order 12898
- (a) To the extent permitted by existing law, and whenever practical and appropriate, all necessary and reasonable steps shall be taken in accordance with Executive Order 12898 to collect, maintain, and analyze information on the race, color, national origin and income level of persons affected by programs, policies and activities of the Secretary of Transportation of the state of Kansas and use such information in complying with this Order.
- (9) Incorporation of Provisions: The consultant will include the provisions of paragraphs (1) through (8) in every subcontract, including procurements of materials and equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The consultant will take such action with respect to any subcontract or procurement as the Secretary of Transportation of the State of Kansas may direct as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, however, that, in the event a consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the consultant may request the State to enter into such litigation to protect the interests of the State.

CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

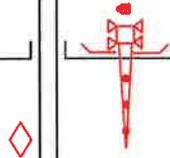
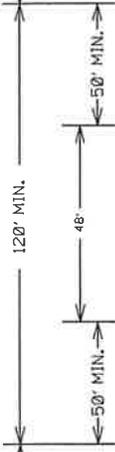
The Burlington Northern & Santa Fe Railway Company

TO LA JUNTA, CO

TO ELLINOR, KS

EASTWARD APPR. 3939'
79 MPH

WESTWARD APPR. 3939'
79 MPH



M.P. 205.44
WOODBERRY RD
DOT # 008 869 J

PROJECT # 59455

INSTALL: FLASHERS AND GATES
CONTROL DEVICES: CONSTANT WARNING
SALVAGE: NONE

RED = IN YELLOW = OUT

- INSTRUMENT HOUSE
- BELL
- METER
- CROSSING CONTROL CONNECTIONS
- BIDIRECTIONAL CROSSING CONTROL
- UNIDIRECTIONAL CROSSING CONTROL
- COUPLER OR TERMINATION
- GUARD RAIL

Warning device placement:
Clearance to C.L. Track = Min. 12'
Edge of Road to C.L. Foundation:
Min. 4'3" with curb,
Min. 8'3" without curb,
Max. 12'
House Clearance:
25' Min. to Near Rail
30' Min. to Edge of Road
ALL LIGHTS TO BE LED

BNSF RAILWAY CO.

LOCATION: BURRTON, KS
STREET: WOODBERRY RD
LS: 7300
M.P. 205.44
DOT # 008 869 J
DIVISION: KANSAS
SUBDIVISION: LA JUNTA
KANSAS CITY
NO SCALE
DATE: 02/22/2016
FILE: 59455-STATESKETCH-.dgn
AMW

