

March 22, 2016
Reno County Courthouse
Hutchinson, Kansas

The Board of Reno County Commissioners met in agenda session with, Chairman Dan Deming, Commissioners James Schlickau, County Administrator Gary Meagher, County Counselor Joe O'Sullivan and Minutes Clerk Cindy Martin, present. Commissioner Dillon was not available.

The meeting began with the Pledge of Allegiance and a short sectarian prayer led by Pastor Jay Bessmer, Bethany Church of the Nazarene.

There was one addition to the agenda; to recognize Sergeant Selby's handling of a situation.

Mr. Schlickau moved, seconded by Mr. Deming, to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on March 25th, 2016 of \$302,396.57 as submitted and also consisting of pending Added, Abated and Escaped Taxation Change Orders numbered 2016-429 through 431. The motion was approved by a 2-0 vote.

Public Works Director David McComb met with the Board to recommend approval for a revised Reno County Public Works Department Policy for Signing on Township Roads. Mr. McComb stated the change would require the townships to pay the fee for the Engineer's fees for traffic studies. These fees could range from \$400 to \$500 dollars. **Mr. Schlickau moved, seconded by Mr. Deming,** to approve the updated policy as outlined by Mr. McComb. The motion was approved by a 2-0 vote.

Mr. McComb also invited the public to the Township Meeting coming up on March 24th, 2016 at 10:30 a.m. for the purpose of having access to the County Engineer who will answer questions. They will also have information on roads, progress on bridges, and overlays for 2017. He said 31 townships were invited to the meeting to improve communication between the county and the townships.

Human Relations Director Renee Harris met with the Board to recommend approval for a revised Donated Sick Leave Policy. She

stated it was not a new policy but would combine Family Medical Leave Act (FMLA) with the current donated leave policy. Mrs. Harris went over different scenarios for the donated leave. She stated "This will marry both policies together" and follow the family leave requirements. Mr. Deming asked if this would tighten the sick leave policy. Mrs. Harris replied that it did not affect sick leave. Mrs. Harris stated that it would tighten the policy by making employees more aware of managing their sick leave time and also making sure the person receiving the donated leave deserved the time given to them. **Mr. Schlickau moved, seconded by Mr. Deming**, to approve the revised Donated Sick Leave Policy as outlined by Mrs. Harris. The motion was approved by a 2-0 vote.

County Administrator Gary Meagher went over the proposal from Robert's Hutch Line for furniture at a price of \$61,061. The proposal was to furnish the new configuration at the courthouse annex for the Appraiser's at \$30,718 for moveable walls, Treasurer's at \$15,035, Clerk's for \$12,931 and Register of Deeds at \$2,377. Robert's Hutch Line will place the order and schedule it to arrive by the end of May after the construction is complete. He stated that Robert's Hutch Line will also setup and deliver the furniture with no fee. **Mr. Schlickau moved, seconded by Mr. Deming**, to approve the purchase of furniture so it could arrive in time as described by Mr. Meagher. The motion was approved by a 2-0 vote.

Mr. Meagher commented on using the State contract pricing with a local vendor instead of going out for bids. They will use bond proceeds to purchase the furniture. The Register of Deeds, as previously approved, will use their Tech fund to purchase a mobile file system for \$117,000 to store records.

Mr. Meagher gave explanation and a slide presentation for the follow up to the previous discussion of shooting in the Arkansas River with Reno County resident April Root. He reported that another sign would be put up and showed where it would be installed in regards to Eales Road toward the north side of the river. It is privately owned and he suggested for enforcement by the Sheriff's office that the owner should put up signs for trespassing with was a state offense not a county. We have a resolution that was passed by home rule authority. Mr. Meagher then explained the Attorney General's opinion in 2000 about the high water mark and what is covered between the private and state controlled water marks. In 2005 Corps of Engineers established how to identify what high water marks are and what activities were allowed between those marks on state

land such as target practice in designated areas like Cheney and McPherson. The state does not allow target shooting only hunting.

Commissioner Schlickau stated that he understood Mrs. Root's concern because of the proximity of her home to the property where target shooting is occurring. Mr. Schlickau continued saying that it appeared no illegal activity or violation of County policy had occurred since the activity was on private property. Mr. Schlickau also stated that it was the responsibility of the property owner to post "no trespassing" signs in a suitable area and recommended Mrs. Root contact the property owner. He asked County Attorney Joe O'Sullivan for his opinion.

Reno County Attorney Joe O'Sullivan gave explanation for trespassing and property rights by the land owner. He also tried to explain to the Board and Mrs. Root the legal details for enforcement by the Sheriff's officers for the different situations involving shooting along the river. He gave situations for what was illegal versus not illegal for shooting at the river and which one would be a violation of the County's resolution. Mr. O'Sullivan recommended Mrs. Root contact the landowner and then the landowner get ahold of either Mr. Meagher or Captain Campbell of the Sheriff's Department for advice on signs. He did not recommend getting the vehicles tag numbers or trying to handle the situation without the local authorities being notified. Then the Sheriff could enforce trespass laws from the state level since it was not the county's responsibility for trespassing if it was not properly posted by the landowner.

Mrs. Root suggested the county build a place for the public to shoot. Her major concern was for the safety of her grandchildren when they visit with shooting at the river near her home.

Mr. Meagher reminded her that facilities were available at Cheney and McPherson. He also replied that she should let law enforcement know if the same problem occurs.

Commissioner Deming summarized the situation by letting Mrs. Root know the next step was to have proper signs installed by the landowner.

Commissioner Schlickau wanted to commend Sergeant Selby for handling a situation in a professional and appropriate manner

last Tuesday in the courthouse. It was a non-threatening situation that did not endanger the public, but was loud and disruptive. Mr. Schlickau announced that the planned burn by Forestry personnel was canceled because of high winds.

Health Department Director Nick Baldetti met with the Board for his regularly scheduled meeting. Mr. Baldetti went over the one confirmed case of Zika in Kansas and additional notes on the disease. He went over other various issues not requiring action by the Board.

Public Works Director David McComb was also available for his regularly scheduled meeting. He went over several dates for various meetings and dates on bridge repairs mentioning the bi annual bridge inspections. Mr. McComb went over other various issues not requiring action by the Board.

At 11:00 the meeting adjourned until 9:00 a.m. Tuesday, February 2nd, 2016.

Approved:

Chair, Board of Reno County Commissioners

(ATTEST)

Reno County Clerk
cm

Date