

April 25, 2017  
Reno County Courthouse  
Hutchinson, Kansas

The Board of Reno County Commissioners met in agenda session with, Chairman Dan Deming, Commissioner Ron Hirst and Commissioner Bob Bush, County Administrator Gary Meagher, County Counselor Joe O'Sullivan, and Deputy County Clerk Jami Radloff, present.

The meeting began with the Pledge of Allegiance and a short sectarian prayer led by Pastor Ron Kyker, Countryside Baptist Church.

There was one addition to the agenda; discussion on an ex-officio board membership.

**Mr. Hirst moved, seconded by Mr. Bush,** to approve the Consent Agenda consisting of the Accounts Payable Ledger for claims payable on April 28th, 2017 of \$528,538.52 and also consisting of pending Added, Abated and Escaped Taxation Change Orders numbered 2017-490 as submitted. Next on the consent agenda was a proclamation; proclaiming the week of April 23 - April 29, 2017 as "National Volunteer Week". Leah Chandler from The Volunteer Center received the proclamation. She spoke on how the organization, worked with 899 volunteers who service over 100 non-profit organizations such as the Food Bank, Meals on Wheels and elementary schools, would be without mentors. The motion was approved by a roll call vote of 3-0.

Item #6 on the agenda was tabled on April 11, 2017 and was up for consideration of approval for a resolution pertaining to open burning and establishing requirements, restrictions, and prohibited acts with respect thereto; and rescinding resolution 2016-07.

Commissioner Hirst outlined some of the changes after reading through the burn resolution pertaining to prohibited burning and discussions from previous meetings. He explained some of his findings, briefly touching on control of wildfires by trimming trees and then he did research on prescribed burning, definitions, fire breaks and KDHE 2819-565 requiring a permit to burn certain materials. Agricultural burning KDHE 2819 -645 thru 648 defines that and we have made it too simple in our resolution. County Counselor Mr. O' Sullivan explained that KDHE regulates agricultural burning not the State Fire Marshall's office.

Mr. Bush commented on the idea of burning a tree row near an airport and what if the airport says no since they go by Federal Regulations.

Prescribed Burn Association (PBA) Dusty Tahl lives in Pretty Prairie and representing the Ninnescah Valley Association which covers the southern half of the county gave an explanation of the association. PBA is not certified by a government agency but is a neighbor helping neighbor group. The PBA was set up to not be government run for participation purposes. There is a State Prescribed Burn Association that holds a 501C3 designation and local PBA chapters with bylaws and members of that state association. They are required to submit a burn plan then laid out equipment and researched the burn area. He then spoke about the PBA's job and plans also mentioning information on ksfire.org. The state and federal agencies put on the PBA workshops which are for education.

Emergency Management Director Adam Weishaar was also present to discuss the resolution. Mr. Weishaar said that the point of the resolution as is, was to keep it simple. The focus on a simple resolution was easy for all the citizens, dispatchers, law enforcement, and also courts to interpret. It would be a lot of detail to try and define between agricultural burns versus non-agriculture burns.

Mr. O'Sullivan spoke on the 9-1-1 dispatch not being an enforcer but a communication department.

There was a brief discussion on wind speeds and their importance.

Mr. Weishaar went thru some of the changes he would like to see to keep it simple to burn.

County Administrator Gary Meagher gave the idea of giving advisory guidelines.

Captain Darrian Campbell from the Reno County Sheriff's Department spoke on behalf of the burn resolution stating that if the resolution gets too technical the citizens are not going to follow it.

Assistant Director for Reno County 9-1-1 Dispatch Leon Boyea spoke to the Board requesting to see this new burn resolution be in line with the state resolution.

Mr. Tahl returned to the podium to briefly discuss some more points on the burn resolution.

Commissioner Bush was concerned about 9-1-1 having to deal with a large call volume.

Mr. O'Sullivan stated the resolution needed to be kept simple and mentioned the Advisory Section of the resolution. He further stated the need to be clear in nature for 9-1-1 and Law Enforcement to be able to go out and work.

Police Chief Heitschmidt came before the Board to speak on behalf of 9-1-1 dispatch and the burden it puts on them with the volume of calls. He further stated that 9-1-1 should not have to deal with those calls about burning. He requested not to have the burden on dispatch to make the decision to burn or not. His personal opinion was it should not be on dispatch to make the call to say who can and who cannot burn.

Commissioner Hirst wanted to have more discussions with 9-1-1, Fire Chief's, Sheriff's Department, Mr. O'Sullivan, and Emergency Management to streamline the issues. Mr. Hirst asked to put this back on the agenda in three weeks. **Mr. Bush moved, seconded by Mr. Hirst**, to table the burn resolution for three weeks. The motion was approved by roll call vote 3-0.

Appraiser Brad Wright met with the Board for his regularly scheduled meeting. Mr. Wright discussed various current issues not requiring action by the Board. Mr. Meagher commented on the state assessed assessments playing a big role in all of this with the county looking good at present, then the state assessed figures comes in it could change.

At 10:47 the meeting recessed for five minutes.

At 10:53 the meeting reconvened with all Commissioners, County Administrator Gary Meagher, County Counselor Joe O'Sullivan, and Deputy County Clerk Jami Radloff, present.

Mr. Hirst commented on the goals next meeting.

Mr. Deming commented on making a list of the goals.

Mr. Bush will not be available for next week's meeting to go over goals, so he would like to change the meeting date to Monday, May 8<sup>th</sup>. He discussed dates for meeting with the Fire Chief from Fire District #2. KCCA conference May 31<sup>st</sup> thru June 2nd registration had been done and Mr. Deming's registration was also sent in to Junction City.

At 11:00 Mr. Bush requested an executive session. **Mr. Bush moved, seconded by Mr. Hirst**, to go into executive session for sixty minutes to discuss an attorney/client privilege with

Mr. O'Sullivan with no formal action to be taken. The motion was approved by roll call vote 2-1. Mr. Deming was not in favor of an executive session for this discussion since no statute pertained to the subject. It was an opinion from legal counsel to have a closed session. Mr. Meagher would not be present for the executive session.

At 11:24 the meeting adjourned until 9:00 a.m. Tuesday, May 2, 2017.

Approved:

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Chair, Board of Reno County Commissioners

(ATTEST)

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Reno County Clerk  
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Date