



**Board of Pottawatomie County Commissioners**  
**Regular Meeting Minutes**  
**April 27, 2020**

612 E. Campbell  
Westmoreland KS 66549  
[www.pottcounty.org](http://www.pottcounty.org)

Public Works / Sunflower Room

8:30 a.m.

District 1 – Deloyce McKee

District 2 – Dennis Weixelman

District 3 – Greg Riat

**8:30 AM CALL TO ORDER REGULAR MEETING WITH FLAG SALUTE & PRAYER**

Attendee Name	Title	Status
Dennis Weixelman	County Commissioner, Vice Chair	Present 8:30 a.m.
Deloyce McKee	Chair Commissioner, Chair	Present 8:30 a.m.
Greg Riat	County Commissioner, Member	Present 8:30 a.m.
Nancy McCarter	County Clerk	Present 8:30 a.m.
Chad Kinsley	County Administrator	Present 8:30 a.m.
John Watt	County Counselor	Present 8:30 a.m.
Cody Liming	Emergency Management Coordinator	Present 8:30 a.m.
Mark Portell	Wamego Times	Present 8:30 a.m.
Peter Clark	Public Works Director	Present 8:30 a.m.
Heather Gladbach	Finance Officer	Present 8:30 a.m.
Gregg Webster	Zoning Administrator	Present 8:45 a.m.
Brandi Rudzinski	Developer	Present 9:00 a.m.
Bill Bahr	Attorney	Present 9:00 a.m.
Scott Campbell	Facility Manager	Present 1:10 p.m.
Dustin Newman	Assistant Public Works Director	Present 1:10 p.m.

**ROUTINE ITEMS:**

McKee moved to approve the agenda as amended adding Fleet Facility. Riat seconded, carried 3-0.

Weixelman moved to approve April 20, 2020 minutes and April 17 & 22, 2020 special meeting minutes. Riat seconded, carried 3-0.

**CONSENT ITEMS: None**

**Comments from the Public:**

Steve Minton (via Zoom) made comments: on last week’s meeting concerning adjournment, a letter of support from Riley County on the Marlatt Bridge and developers donations to campaign funds.

Celia Bissen (Via Zoom) thanked the commissioners for the job they do, and then expressed concerns about the rezoning off Flush Road, saying there may be a lot of consequences and future safety issues.

Tyler Umscheid (via Zoom) commented on the concerns he had with the rezoning request off Flush Road: farmland needing to be preserved, widening of gravel roads, and marginal productivity.

Russell Umscheid (via Zoom) asked about the timing to speak up on the rezoning request. John Watt stated during the agenda time today. Russell outlined the areas and the petition protest, and expressed concerns about the development of native grass pastures, possible problems with spraying, traffic and community concerns.

**9:00 a.m. Commissioner adjusted agenda:**

*Board of Pottawatomie County Commissioners*

**Heritage Hills Unit 2 Subdivision:** Bill Bahr spoke on behalf of Rudzinski regarding developer’s agreement 2018-1. The item for today is an access point outlined in section 10E of the agreement. Rudzinski has been told he could not use the access road as a secondary entrance, and would the commissioners allow him to double chip and seal to the entrance. John Watt outlined the agreement, and said there is no pavement north on Green Valley. All developers are bound by other county policies. Once Green Valley Road north is paved, the access could be opened to comply with county policy. Rudzinski said he understands policy, but I have to develop a road to nowhere and then block it. I would not have put a road to nowhere, I would have put in another lot. Peter Clark stated from public works standpoint, from a long-term perspective the road does serve the people, this is a growing location. At the rate we are growing, the Green Valley Road will be improved at some point. At this time, the safest way is to come down Nature on to Junietta. Double chip and seal servicing development is not a way to handle heavy traffic, and advises against it and does not save in maintenance cost. Commissioner Weixelman agreed to wait a couple weeks so he would have time to consult the County Counselor and explore a time frame. No action was taken.

**DEPARTMENT UPDATES & ACTION ITEMS**

**Commission:** Commissioner Weixelman reported they are still having Wednesday and Friday meeting but not a lot of new information. Commissioner Riat spoke on the letter addressed to the commissioners concerning Green Valley Road and Junietta intersection and the need for a four way stop sign, and he thanked all the emergency workers. Commissioner McKee reported she continues to stay updated on the Governors reports and is still researching the Davis-Bacon wages rates.

**Administration:** Heather Gladbach presented a resolution for approval in order to establish within the treasury for temporary fund for Heritage Hills Unit 2. Commissioner Weixelman moved to adopt resolution 2020-26 in order to establish a fund as requested. Commissioner McKee seconded, carried 3-0. *(Document signed)*

Heather Gladbach reported on the upcoming bond issues with July 1, 2020 as a possible completion date that will include completed projects. Gladbach asked commissioners to consider other projects due to the economy that will be completed. Commissioner Weixelman moved to authorize the staff to work with bond issues as requested. Commissioner Riat seconded, carried 3-0.

**10:00 a.m.** Chair declared bidding closed for the 2020 Asphalt Projects. Peter Clark opened and read the bids:

Bidder	a	b	c	d	e	f	g	h	i	Total bid
Shilling	65,625.00	148,950.00	34,040.00	616,748.00	87,114.00	40,658.00	198,625.00	52,685.00	17,140.00	1,261,585.00
Betti	63,590.30	127,692.50	37,756.55	501,957.43	86,414.38	38,085.00	181,047.90	52,443.90	13,965.00	1,102,952.96
Hamm	74,053.00	166,907.50	49,604.00	626,860.25	119,950.00	56,350.00	243,060.00	70,371.25	13,025.00	1,420,181.00
Engineer's Estimate	57,628.00	134,600.00	33,154.00	564,119.00	88,005.00	32,140.00	190,115.00	48,810.00	14,700.00	1,163,271.00

Staff will review all bids and return next week with a recommendation.

**Economic Development:** Jack Allston and Terry Force (via Zoom) presented an update on Economic Development during COVID-19. Allston outlined the three funds within the EcoDevo:

- 1) County Funding that is for rent, salary, office, etc.

- 2) Advance Pottawatomie for marketing and loans
- 3) Real Estate Fund from the sale of property. Allston then outlined current loan programs and assistance, technical assistance and future items such as concentration on existing industry, avoiding business closures and advantages of working remotely.

**Zoning:** Gregg Webster presented a request to change the zoning on a tract of land from A1-agriculture to AR – agriculture residential. This will allow the applicant to develop the 79-acre tract at a higher density than the two houses in each quarter-quarter-quarter section permitted by the A-1 regulations. Planning and Zoning Staff recommends approval of the request based upon the findings in the staff report and the proceedings of the hearing. A valid protest petition was received by the County Clerk's Office within the 14 days of the hearing. Therefore, a unanimous vote of the Board of County Commissioners is required to pass the zoning change. Tyler Umscheid (via Zoom) said he believes we need to protect natural resources and a person's right but with limits. We must maintain the land for future generation and why use good Ag land. Gregg Webster outlined the hearing meeting via zoom and said all questions and comments were addressed. Terry Force (via zoom) spoke on behalf of the developer saying the hearing/meeting was run efficiently and it follows the land use study plan. If the zoning does not go through, he can still put three more houses and eight more in the back. The County would be better served by controlling the development. Commissioner Weixelman moved to go ahead with the rezoning and look at things going down the road with development. Commissioner McKee seconded. Commissioner Riat asked when the plan comes there who would approve that. Gregg Webster said the preliminary plan would have to meet all criteria with public works, sanitary, drainage, utilities, etc. once approved the final plan is brought to the commissioners. Chair called for the motion, carried 3-0.

**Public Works:** Peter Clark presented already approved documents for the replacement of the scales for the Chair to sign. *(Document signed)*

**Dump Truck Purchase:** Peter Clark presented undated information on the negotiation of the 2020 Peterbilt dump truck. We have negotiated a purchase price of \$134,500 and staff recommends the purchase. Then go out and re-advertise for a second truck with more specs. Commissioner McKee moved to go ahead with the request. Commissioner Riat seconded, carried 3-0.

**On-Call Maintenance:** Peter Clark outlined the updated information to the on-call maintenance contract and requested authorization to publish for bids. Commissioner Weixelman moved to publish the request. Commissioner Riat seconded, carried 3-0.

**Belvue Bridge:** Peter Clark reported he had received four proposals for engineering services for the bridge and recommended the commissioners form a committee to review them. Clark recommended the committee consist of Chad Kinsley, Peter Clark, one Pottawatomie and one Wabaunsee Commissioner and one Wabaunsee staff member. Commissioners directed Clark to move forward with setting up a committee.

**Unfinished Business:** Commissioner McKee moved to adopt Resolution 2020-27 regarding a zoning change. Commissioner Riat seconded, carried 3-0. *(Document signed)*

#### **Executive Session:**

Commissioner McKee moved that they recess to executive session for 15 minutes beginning at 12:31 p.m. under the following exception to the Kansas Open Meetings Act: Land Acquisition Exception, preliminary discussions relating to the acquisition of real property KSA 75-4319 (b)(6); negotiation of

contract. Commissioner Weixelman seconded and motion passed 3-0, others in attendance, Peter Clark, Chad Kinsley, and John Watt. Public session resumed at 12:46 p.m. Commissioner Weixelman moved to continue the session another 10 minutes. Commissioner McKee seconded, carried 3-0. Public session resumed at 12:56 p.m. Commissioner Weixelman moved to continue the session another 10 minutes. Commissioner McKee seconded, carried 3-0. Public session resumed at 1:06 p.m. with no action as a result of the session.

**Administration:** Chad Kinsley requested direction on his proposed reopening plan: First, the trigger should be when all State/Local stay at home orders has been lifted. For example, if the State lifts its order, and no new one is added by state or county officials, May 3, 2020, is the day the order ends. During each step, social distancing will be maintained until we are back to normal operations.  
May 3 – 9 we will continue to conduct business as we have been doing since this event started, with non-essential offices working every other day  
May 10 – 16 we will bring back all employees while still being closed to the public.  
May 17 – 30 Buildings will remain locked but start allowing one customer per office at a time. Citizens will be required to have temperatures taken and masks worn before entering the building.  
May 31 we will be back to normal operations unless more extensive measures need to be taken depending on the current environment. Commissioners agreed to the plan.

**Public Works/Fleet Maintenance Facility:** Dustin Newman and Scott Campbell requested authorization to get prices on a three-phase generator and to make changes to the downspout for drainage for the Fleet Maintenance Facility. Commissioners agreed to go out for bids for a generator and to work with the drainage with in-house workers.

**8.0 Adjournment:** Chair declared meeting adjured at 1:33 p.m.

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Chair, Deloyce McKee

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Vice Chair, Dennis Weixelman

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Member, Greg Riat

seal

Attest:

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County Clerk, Nancy McCarter