



**Board of Riley County  
Commissioners  
Regular Meeting  
Minutes  
July 13, 2017**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

[District 1 – Ben Wilson, Member](#)

[District 2 – Marvin Rodriguez, Vice Chair](#)

[District 3 – Ronald Wells, Chair](#)

**8:30 AM**

**Call to Order**

Attendee Name	Title	Status	Arrived
Ronald Wells	County Commissioner	Present	8:30 AM
Ben Wilson	County Commissioner	Present	8:30 AM
Marvin Rodriguez	County Commissioner	Present	8:30 AM
Rich Vargo	County Clerk	Present	8:30 AM
Clancy Holeman	Counselor/Director of Administrative Services	Present	8:30 AM
Gary Rosewicz	Assistant County Engineer	Present	8:30 AM
Tami Robison	Budget and Finance Officer	Present	8:41 AM
Brady Bauman	KMAN	Present	9:00 AM
Sam Hennigh	KMAN	Present	9:00 AM
Stephanie Casanova	Manhattan Mercury	Present	9:05 AM
Shilo Heger	Treasurer	Present	9:30 AM
Craig Cox	Deputy County Counselor	Present	9:42 AM
Monty Wedel	Planning & Special Projects Director	Present	9:43 AM
Bart Thomas	Thomas Signs	Present	9:49 AM
Jennifer Green	Health Department Director	Present	9:54 AM
Cindy Volanti	Human Resource Manager/Deputy Clerk	Present	9:00 AM
Andrew Adams	Emergency Preparedness Coordinator	Present	10:00 AM
Julie Hettinger	Community Health Educator	Present	10:00 AM
Russell Shipley	Sink Gordon and Associates	Present	10:15 AM

**Pledge of Allegiance**

**Public Comment**

1. Public Comments

Rosewicz reported next Wednesday the Public Works department will be placing dust control on Purcell Road.

**Commission Comments**

2. Commission Comments

Wilson's Comments:

Nothing in particular to comment on this week, just did the regular meeting prep and kept up with commission emails.

Rodriguez's Comments:

Talked to a couple of constituents on Friday the 7th by phone. The first was a call concerning the counties' reorganization of EMS. The caller was concerned about employee layoffs. I tried to assure the individual that as I understood the process there was to be no layoffs. I called Dave Adams and spoke to him about those concerns.

The next caller was just getting back with me about concerns with the planning zoning meeting. The caller was satisfied with his meeting with planning board and how it was handled.

Wells' Comments:

Wells said he attended the KMAN radio interview.

Wells stated he visited with one of the fence viewing petitioners.

**Business Meeting**

3. Sign Renewal of Online Access Agreements for: Commerce Bank, Security 1st Title and KSU Division of Financial Services

Move to approve the Renewal of Online Access Agreements for Commerce Bank, Security 1st Title, and KSU Division of Financial Services.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

4. Riley County Extension Council 2018 Budget

Move to approve the Riley County Extension Council 2018 Budget.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

5. Highway Use Permit, Larson Construction Inc.

Move to approve the Highway Use Permit to grant permission to Larson Construction Inc. to install a 2" RWD #1 water main from Gardiner to end of Secrest Road for the Blue Vista Facility south of Randolph.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

6. Internet Surplus Vehicle and Equipment Auction

Move to authorize staff to give public notice pursuant to K.S.A. 19-211 (b)(1), to offer for sale at public auction, excess personal property as presented in "Exhibit 2" and to authorize Purple Wave, Inc, of Manhattan, Kansas to conduct and "Internet Only" auction to sell this property in accordance with County RESOLUTION NO. 011107-03.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

7. Multi-layer Polymer Concrete Overlay Project Contract - Wildcat Const. Company Inc.

Move to approve the contract for the Multi-layer Polymer Concrete Overlay Project Contract with Wildcat Construction Co., Inc. in the amount of \$297,748.00.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

8. Discuss Joint City/County/County Meeting Agenda

No topics.

**Review Minutes**

- 9. Board of Riley County Commissioners - Regular Meeting - Jul 10, 2017 8:30 AM

Move to approve the minutes.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

**Review Tentative Agenda**

- 10. Tentative Agenda

**Press Conference Topics**

- 11. Discuss Press Conference
  - Riley County Fair - Jennifer Wilson

**9:00 AM Clancy Holeman, Counselor/Director of Administrative Services**

- 12. Administrative Work Session

- 9:00 AM 13. Executive session to discuss confidential legal advice regarding potential litigation issues

Move that the County Commission, Chairman Wells, Commissioner Rodriguez, and Commissioner Wilson, recess into executive session on potential litigation for the purpose of consultation with Clancy Holeman, Riley County Counselor, attorney for the Commission, which would be deemed privileged in the attorney-client relationship, an exception to the Kansas Open Meetings Act, the open meeting to resume in the County Commission Chambers at 9:15 a.m. Also present to provide factual information to the Board will be Rich Vargo, Riley

County Clerk, and Cindy Volanti, Human Resource Manager/Deputy Clerk.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

9:15 AM Move to go out of executive session.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

No binding action was taken during the executive session.

9:15 AM Executive session to discuss confidential legal advice regarding potential litigation issues

Move that the County Commission, including Chairman Wells, Commissioner Rodriguez, and Commissioner Wilson recess into executive session on potential litigation for the purpose of consultation with Clancy Holeman, Riley County Counselor, attorney for the Commission, which would be deemed privileged in the attorney-client relationship, an exception to the Kansas Open Meetings Act, the open meeting to resume in the County Commission Chambers at 9:20 a.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

9:20 AM Move to go out of executive session.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

No binding action was taken during the executive session.

**9:20 AM Break**

**9:30 AM Shilo Heger, Treasurer**

- 14. June 2017 Treasurer's Report

Heger presented the June 2017 Treasurer's report.

**9:45 AM Craig Cox, Deputy County Counselor**

- 15. Conveyance of Property Conveyed to Riley County by Mistake from KS Dept. of Transportation

Cox presented the quit claim deed conveying the Thomas property to KDOT.

Thomas said he does not understand why five years later after the road is completed he is before the Board on this issue. Thomas stated KDOT said the land was mistakenly conveyed to Riley County.

Move the Board Chairman sign the quit claim deed conveying the Thomas property to KDOT.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

**10:00 AM Jennifer Green, Health Department Director**

Move to recess as the Board of County Commissioners and convene as the Board of Health.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

- 16. July 2017 Health Department Monthly Budget Review & Report to the Board of Health and PHAB Accreditation Approval

Green presented the Health Department staff report.

Green discussed the accreditation process and benefits of accreditation.

Hettinger presented the step of accreditation.

Move to approve the Health Department's application to apply for PHAB accreditation and pay the initial accreditation review fee.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

Move to recess as the Board of Health and reconvene as the Board of County Commissioners.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

#### **10:25 AM Budget and Planning Committee**

##### 17. Monthly Cash Flow Reports for June

Robison presented the monthly cash flow reports.

#### **10:35 AM Russell Shipley, Sink Gordon & Associates**

##### 18. 2016 Riley County Financial Statement Audit

Shipley presented the Board the 2016 Audit Report and Management Letter.

Shipley stated the Audit Report Opinion is "Unmodified" which is the highest level you can attain through KMAG.

The Board did not have any questions about the Audit Report.

#### **10:45 AM Gary Rosewicz, Assistant Public Works/County Engineer**

## 19. Consultant Selection

Rosewicz presented the consultant selection for the Fairmont Heights Sewer District, Bridgeview Heights Sewer District and expansion for the University Park Water District and Lakeside Heights Sewer District.

Move to approve the procurement of professional services be waived for the above referenced projects and approve the Public Works Department to enter into negotiations with BG Consultants and SMH Consultants for the design of their respective projects mentioned above.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

10:51 AM

Move to change the 11:15 a.m. and 11:30 a.m. executive sessions to 10:52 a.m. and 11:08 a.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

10:52 AM

**Clancy Holeman, Counselor/Director of Administrative Services**

10:52 AM

## 20. Executive session to discuss a performance matter involving non-elected personnel (15 minutes)

Move that the County Commissioners, including Chairman Wells, Commissioner Rodriguez and Commissioner Wilson, recess into executive session with Clancy Holeman, County Counselor, attorney for the commission, and Cindy Volanti, Human Resource Manager, pursuant to the non-elected personnel matters exception to the Kansas Open Meetings Act, on a performance matter, in order to protect the privacy of the employee, the open meeting to resume in the County Commission Chambers at 11:08 a.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez



11:08 AM Move to go out of executive session.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

No binding action was taken during the executive session.

11:08 AM 21. Executive session for preliminary discussions related to the acquisition of real property (15 minutes)

Move that the Board of Riley County Commissioners, including Chairman Wells, Commissioner Rodriguez, Commissioner Rodriguez, and Commissioner Wilson, along with Clancy Holeman, Riley County Counselor, and Rich Vargo, Riley County Clerk, recess into executive session pursuant to the preliminary discussions relating to the acquisition of real property exception to the Kansas Open Meetings Act, in order to discuss an initial offer of purchase by the County, the open meeting to resume in the County Commission Chambers at 11:23 a.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

11:23 AM Move to go out of executive session.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez

No binding action was taken during the executive session.

**11:25 AM Adjournment**

Move to adjourn.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ben Wilson, County Commissioner
<b>SECONDER:</b>	Marvin Rodriguez, County Commissioner
<b>AYES:</b>	Wells, Wilson, Rodriguez