

ADJOURNED MEETING OF THE GEARY COUNTY COMMISSION MINUTES
May 11, 2020

Commissioners Present: Keith Ascher, Brad Scholz and Charles Stimatze

Others present: Rebecca Nordyke, County Clerk; and Steve Opat, County Counselor

Chairman Ascher called the meeting to order and the Pledge of Allegiance was recited.

Todd Godfrey, citizen, arrived at the meeting.

The commission and Mr. Opat reviewed and approved the vouchers.

Commissioner Stimatze stated that Nikki Davenport, Court Administrator, requested the use of the 4H/Senior Center for an extra court room during the month of May. Commissioner Stimatze stated he talked to Chuck Otte, Extension, regarding the meeting room space. Mr. Otte informed him that all meetings for the month of May have been cancelled. The commission agreed to the request. Commissioner Stimatze called Mr. Otte and inquired who owns the walk-in freezers and noted there is a bill for repairs to it. Mr. Otte stated the bill should have been sent to the Area Agency on Aging. The phone called end.

Chairman Ascher discussed the regional task force meeting held last week.

There was a general discussion regarding the letter the Morton County Commission sent to the Governor suggesting that a "one size fits all" approach to re-opening the state should be adjusted to allow local government to decide, since there are counties in the state that have no or very few cases.

The recess was taken from 10:49 a.m. to 10:53 a.m.

Commissioner Stimatze stated there was an aTa Bus Board meeting last week. He inquired what would happen if Geary County did not provide any funding. Anne Smith, Director, stated that they would no longer provide any bus service in the county.

Tammy Von Busch, Health Department Administrator, presented the weekly COVID-19 report:

- Presented the KDHE report, noting the State has had an increase of over 580 cases since Friday.
- Stated that Geary County has 14 cases, even though the state says 16, two of these are counted twice. The three new cases are from the same family.
- Presented the following recommendations:
 - a. Stated they would like to keep swimming pools closed until June 15, 2020; instead of allowing them to open in Phase 2.
 - b. Stated they would like to restrict organized sports (softball/baseball, etc.) until everything is opened under the Governor's plan. Commissioner Scholz inquired if an organization presented her with a mitigation plan if they would consider allowing the sport. Mrs. Von Busch stated it could be considered but expressed concern if not all teams had a plan or a good plan. Commissioner Scholz stated the other teams could sign an MOU and if it is not followed then the game would be forfeited. Commissioner Scholz stated he has suggested to the EDC and Chamber that they should help businesses formulate mitigation plans and asked Mrs. Von Busch if exceptions could be made. Mrs. Von Busch stated they would consider it. Chairman Ascher stated he is invited to a meeting tomorrow with representatives of baseball and softball, to discuss the possibility of having a season. Chairman Ascher stated that everyone needs to have a mitigation plan and

waivers signed. He stated that there are other communities who are having seasons and some of our people are already traveling out of town.

- Per Commissioner Stimatze, she explained the courier fees and what couriers are used for.
- There was a general discussion regarding the lack of use of masks and that people are not wearing masks correctly.

Mr. Godfrey discussed the strict regulations that people who work in salons and tattoo businesses must follow and the licenses they are required to have. He stated that people who can't get a license have people come into their homes or rent hotel rooms and provide the services. This penalizes the people who are following the rules. Mrs. Von Busch stated if they are aware of people who are not following the rules they will investigate.

Jon Thummel, Human Resources Director, arrived at the meeting.

Mr. Godfrey suggested that the salons, etc. should be allowed to open, because they are in fact safer than homes. Commissioner Scholz discussed mitigation plans. Mr. Godfrey stated people are on Facebook inviting people to their homes. He stated it is very difficult to get a license in Kansas.

Mrs. Von Busch stated they have additional recommendations to have a virtual fair rather than in-person. They also recommend that the rodeo be canceled. Chairman Ascher inquired if she has had conversations with Chuck Otte. She stated she spoke with Deb Andres and they would like the Health Department to make the call. Chairman Ascher inquired what other counties are doing. Mrs. Von Busch stated at this time, some are cancelling, and some have not yet decided. Chairman Ascher stated she should talk to the Rodeo Association about their thoughts and that a mitigation plan should be developed. Commissioner Stimatze inquired if she had heard anything about the State Fair. Mrs. Von Busch stated it is in September and she has not heard anything.

The commission agreed to accept the recommendation for a virtual fair. Mrs. Von Busch stated she will prepare an order. Ms. Von Busch left the meeting.

Mr. Thummel presented the weekly report:

- Reviewed and recommended approval of Memo 2020-17. **Commissioner Scholz moved to approve MEMO NO: 2020-17:**
 - **The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) signed into law on March 27, 2020 contained important provisions that may affect reimbursable items under our Flexible Spending Account (FSA) plan. Geary County has an opportunity to amend the plan without cost to allow for reimbursement of over the counter (OTC) drugs and menstrual products retroactive back to January 1, 2020. Since with Covid-19 some medical providers' offices and retailers were closed, adding the amendment is an excellent way to allow participants to spend down their funds.**
 - **Following is more specific information about both types of items:**
 - **Prescriptions (Rx) will no longer be required for over the counter (OTC) drugs, including items like Tylenol, Claritin, Tamiflu, etc. when purchased with a FSA effective immediately and retroactive to January 1, 2020. As you know, FSA OTC drug purchases have required a prescription since 2011 per the Patient Protection and Affordable Care Act. This change caused confusion and unnecessary trips to the doctor, and the welcome relief will mean that employees with FSAs can again buy the OTC medicines they need to stay healthy now and in the future.**
 - **Menstrual care products are now eligible under the FSA effective immediately and retroactive to January 1, 2020. The bill indicates that this addition means a**

- **"tampon, pad, liner, cup, sponge, or similar product used by individuals with respect to menstruation" will qualify.**
- **The attached documents will effectuate the change. Please approve the amendment to the plan and authorize the Chairman of the Board of County Commission to sign in the appropriate places.**

Commissioner Stimatze seconded and all voted aye.

- Reviewed and recommended approval of Memo 2020-18. **Commissioner Stimatze moved to approve MEMO NO: 2020-18:**
 - **Through the competitive selection process, the Health Department has identified a candidate for PCN HA1002A (Financial Analyst). The Health Department is requesting a starting rate of pay be \$17.00/hour which is above the starting rate for range 17 and must be approved by the Board of County Commissioners per Human Resources Policy 30.08. The proposed rate of pay is \$0.66 above the starting rate which will equate to an estimated \$1,372.80 per year plus benefits.**

Commissioner Scholz seconded and all voted aye.

- **At 11:47 a.m.; Commissioner Stimatze moved for a 15-minute executive session, to end at 12:02 p.m., to discuss non-elected personnel with Mr. Thummel and Mr. Opat. Commissioner Scholz seconded and all voted aye.** The meeting resumed at 12:02 p.m. with no action taken. Mr. Thummel left the meeting.

The meeting recessed for lunch from 12:09 p.m. to 1:18 p.m.

Michele Stimatze, CVB Director, presented the quarterly report:

- Reviewed the March 2020 financial reports and the impact that COVID-19 has had to her budget with the cancellations of meetings, conferences, etc. Chairman Ascher inquired if the community support grants would be carried over to next year since not many people are able to do anything this year. She stated yes, they can, a letter is going out to all grant recipient's explaining the process for next year. She stated it may need to be eliminated if revenues do not improve or if she must cut her budget. She reviewed meetings that she has had with Acorns Resort and other lodging entities.

Mr. Godfrey returned to the meeting.

Mrs. Stimatze continued:

- Reviewed the marketing grant program and the possibility of notifying the 2020 recipients to notify them the funds can be spent in 2021.
- Reviewed plans for sneeze guards to protect staff and public due to COVID-19.
- Reviewed the financial report for April 2020.
- Stated that \$30,000 was made on deposits from sponsorships for the 2020 Sundown Salute. She explained that all of the groups have agreed to play in 2021, except for the group that the lead singer passed away.
- Reviewed the upcoming events that are currently scheduled, of course subject to change due to COVID-19.
- Presented the KASE magazine and pointed out the ad CVB placed in it.
- Reviewed the CVB social media presence and increase in usage. She stated she has been promoting the outdoors since that is something people can do under the COVID-19 restrictions.
- Chairman Ascher stated a final decision has not been made about holding the Geary County Free Fair or Rodeo. Commissioner Scholz stated that the Health Department will consider events that have mitigation plans.

- Announced The Cove Bar and Grill will open next week. Mrs. Stimatze left the meeting.

The commission held their review and update:

- There was a general discussion regarding Susan Wagle's, President of Kansas State Senate, press release about possible legislation eliminating interest and penalties on late property tax payments for 60 days.
- **At 2:17 p.m.; Commissioner Stimatze moved for a 10-minute executive session, to end at 2:27 p.m., to discuss legal matters regarding no fund warrants for Geary Community Hospital with Mr. Opat. Commissioner Scholz seconded and all voted aye.** The meeting resumed at 2:27 p.m. with no action taken.
- **At 2:29 p.m.; Commissioner Scholz moved for a 10-minute executive session, to end at 2:39 p.m., to discuss legal matters regarding the Animal Shelter with Mr. Opat. Commissioner Stimatze seconded and all voted aye.** The meeting resumed at 2:39 p.m. with no action taken.

The recess was not taken.

Rebecca Nordyke, County Clerk, presented the weekly report:

- Presented commission change orders. **Commissioner Stimatze moved to approve Commission Change Orders 2019-327 through 2019-329. Commissioner Scholz seconded and all voted aye.**
- Presented April 13, 2020 minutes. **Commissioner Stimatze moved to approve the minutes from April 13, 2020. Commissioner Scholz seconded and all voted aye.**
- Presented April 20, 2020 minutes. **Commissioner Stimatze moved to approve the minutes from April 20, 2020. Commissioner Scholz seconded and all voted aye.**
- Inquired if the commission had given thought to the budget goals that were discussed at the April 27, 2020 meeting. The commission opted to consider the goals at a future meeting.
- Presented the monthly Clerk and Treasurer cash reports, noting the reports balance.

Lonnie Clark, State Representative, arrived at the meeting.

Clerk Nordyke continued:

- Presented the addendum to B&R Cleaning Service for additional services in the Geary County Office building due to COVID-19. The total cost per day is \$20.00 and there are sufficient funds in the budget to cover the cost. The consensus of the commission was to accept the addendum.
- Presented a proposal from Security Solutions to replace a security camera in the Geary County Office Building. Clerk Nordyke noted that the cameras are out of warranty and this camera features next generation video technology. **Commissioner Stimatze moved to approve the Security Solutions proposal at a cost of \$960.00 to be paid from the county facilities fund for the Geary County Office Building. Commissioner Scholz seconded and all voted aye.**

Representative Clark discussed the following:

- Chairman Ascher inquired what can be expected from the legislature when they go back into session. Representative Clark stated he doesn't foresee any surprises. He stated he goes back on May 21, 2020.
- Chairman Ascher inquired what the agenda will be. Representative Clark stated they will be taking action on bills passed by the other chamber. He stated he is concerned if they will have enough members present to pass legislation.

- Mr. Opat asked if the tax lid has been removed and if the Utah tax bill was passed. Representative Clark said yes. Mr. Opat asked how it will impact Geary County. Representative Clark stated he doesn't foresee that it will be anything devastating or a huge impact as he understands it. Mr. Opat stated the reading he has done concerns him that any increase in valuation will have more restrictions than the current tax lid. In addition, we are looking at more expenses. Mr. Opat expressed concern about the legislature not trusting local government to take care of business at the local level.
- Chairman Ascher inquired about state funding for COVID-19 and specifically the \$1.2 billion the federal government has sent to the state and if it will be shared with local government. Representative Clark stated he has no information regarding the use of the money yet. He stated it will take 85 yes votes to pass a bill to final action.
- Commissioner Stimatze asked if he thought the Governor will move forward with Phase 2. Representative Clark stated he has not heard anything.
- Chairman Ascher inquired if there was anything Representative Clark needed from us. Representative Clark stated he just wants to be of help to the county. Commissioner Stimatze stated that Emergency Management needs gowns.
- Stated concern that the larger counties will get the most of any money that the State may send to local government. Chairman Ascher stated that the bigger counties have more opportunities than the smaller counties. Representative Clark discussed the efforts that representatives from smaller counties must make to get anything done. Representative Clark left the meeting.


Commissioner Stimatze stated that aTa Bus will get some COVID-19 money from the state for March through June 2020. He stated he is working on getting additional details. If they receive the funds, they may be able to refund some money back to us depending on how much they receive. He stated they must refund K-State \$150,000 since the campus was closed due to the virus. He stated that aTa Bus receives \$11 million from the state annually. Commissioner Scholz inquired why we must pay if they receive that much money from the state. Commissioner Stimatze stated it is used for match money.

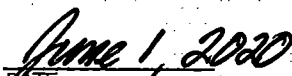
The press conference was held.

Mr. Opat stated he talked to Troy (Livingston, GIS/Planning and Zoning) and we would need to serve as our own general contractor. There was discussion about the fact we are not a commercial building, but a government building and do the same rules apply. Mr. Opat stated we followed codes by resolution.

The meeting adjourned at 4:31 p.m.


 CHAIRMAN - COUNTY COMMISSION
 KEITH ASCHER


 COUNTY CLERK
 REBECCA NORDYKE


 DATE