**February 13, 2024**

The Graham County Commissioners met in regular session on Tuesday February 13, 2024. Commissioner Tremblay called the meeting to order with the flag salute. Commissioner’s, Kendra Robinson, Jill Elliott, Jarrod Knoll and Melissa Atkins were all present. Commissioner Tremblay made a motion to approve the minutes from February 6, 2024. Commissioner Nelson seconded the motion. Motion carried 2-0. Commissioner Nelson made a motion to approve the minutes from February 7, 2024 special meeting. Commissioner Tremblay seconded the motion. Motion carried 2-0.

**Graham County Hospital, Melissa Atkins**

Melissa Atkins, Graham County Hospital reported everything at the Hospital is going well. She reported they are interviewing 4 contractors for the clinic bid on February 21, 2024. Melissa reported they still have some COVID patients at the hospital. She reported they will be putting ad in The Hill City Times for bids to rent their Phillips and Graham County crop land. She reported they still have several job openings.

**Graham County Sheriff, Cole Presley**

Cole Presley arrived at this time. Cole reported he had two things to discuss with the Commissioners. The first item was there is a jury trial scheduled in Graham County for March 12th-14th for the Morland case and all three of the Graham County Sheriff’s were subpoenaed to be there. With all three of the guys being subpoenaed, he would need to hire someone and he has secured part time help but wanted to give a heads up to Commissioner’s why he was paying a PT officer. He reported they will be paying a part time guy basic deputy wages to cover call for them while they are stick in trial. The second item was he responded to a call this morning about trash dumped on 330th Ave, North of 24. Cole reported it was a big pile of C&D waste and didn’t look like it was recent, it looked like it had been there awhile. Cole reported there is some evidence that is allowing them to begin investigating the case, but there is not anything that is immediately identifiable. Cole reported the reason he was bringing it up to the Commissioners is because the owner of the property was Dan Jones from Ohio, so the probability of getting it cleaned up timely is probably minimal, however, if they can catch who it is, they can incur the costs back through restitution, but that takes people with backhoes & trucks to haul that stuff off. Commissioner Nelson asked Presley where exactly this waste was located. Cole reported it is just south of 330th & U Rd, not quite a ¼ mile south on the east side. Cole reported as you’re coming up to it from the highway, there are piles of trees alongside the road, which is also a pretty big concern as the piles of trees are probably 25-30 foot high and there is six of them right by the road surrounded by dead grass. He reported he wasn’t sure how long the trees have been there, but these are big stumps that have been pulled and drug to the side of the road and more trees piled back on top of them and that is not Jones’s property, but not even a ¼ mile past them where Jones owns looks like several loads of some kind of C&D waste. Cole reported they are tracking a couple leads to see if they can get it worked out, but this will probably require some kind of outside help to get it cleaned up. Commissioner Nelson said maybe Road & Bridge could assist in removal. Cole requested if the Commissioner’s have Wayne to it, to give Cole an invoice for the case file and when they can get it prosecuted, they will attached it and request for restitution.

**Graham County Attorney, Jill Elliott**

Jill Elliott spoke on Resolution 2024-09 at this time. She reported the Graham County Clerk had emailed her 2 different resolutions passed, one from Wallace County and one from Thomas County. She reported she thought the one from Thomas County was what the Commissioner’s were looking for as it was more of a firm stance on this potential entry of illegal immigrants in Graham County. Commissioner’s reviewed the prepared resolution. Commissioner Tremblay made a motion to approve Resolution #: 2024-09 – A Declaratory Resolution opposing the entry, transportation, employment and settlement of illegal immigrants in Graham County, Kansas. Commissioner Nelson seconded the motion. Motion carried 2-0. Jill reported she was also in attendance to review the sealed bids the County Commissioner received in regards to the tax sale. Commissioners were presented with 2 bids – 1 from Eland Title Co and 1 from Pear Tree Title, LLC. The Commissioners opened both sealed bids. The bid from Eland Title Company was $200.00 per tract. The bid from Pear Tree was $67.50 per tract. Commissioner Tremblay made a motion to approve the bid from Pear Tree Title LLC. Commissioner Nelson seconded the motion. Motion carried 2-0. Commissioner Nelson asked Jill if employee Jessica Eland had set her last day of employment. Jill reported Jessica Eland’s last day of employment for Graham County Attorney’s office would be 2/15/2024.

**Community Development, Dan Steffen**

Dan Steffen arrived at this time. Dan reported the Facebook followers continue to grow. Dan presented the Commissioners with the brochure for Graham County and reported he would be getting them out to businesses. He reported Phyllis Weller had shown him a website for promotional items and he reported he ordered mugs and pens that said Graham County with a ringneck on them. He reported once they arrive, he would get them distributed to the Community. Dan reported he met with Bev Stafford and there was a possibility they could get the turf donated for the pocket park project. He reported they had the funds for the Morland Mercantile mural. Commissioner Tremblay asked Dan if he had heard whether or not Millbrook Fire Station was eligible for a grant or not. Dan reported it was eligible and was priority since it had been on the list for awhile now.

**City of Hill City, Dennis Mersch & Graham County Landfill Supervisor, Chris Mikkelson**

Dennis Mersch and Chris Mikkelson arrived at this time. Dennis reported the City of Hill City is selling the recycling building to Bodie Cooper as the building currently sits on his land. Chris Mikkelson reported if all this recycling comes to the landfill, this will create a major problem and will require 2 trips to Garden City a week instead of just one trip. Dennis reported he had talked to Corina Cox with NW KS Planning & Development Commission who reported there was no grants available for building a building out at Landfill. Dennis reported we wouldn’t be able to get the bales wet, so we would need shelter for them. Chris reported he thought we could extend onto the north side of the building. Dennis reported current building is 60’ x 100’ but the minimum that would work would probably be 50’ x 80’. Chris stated he would work with Dennis about getting the balers and fork lift out of building. Commissioners asked what the time frame was to get the donated things out of building. Dennis reported 1-2 months. Chris reported they should make actual recycling center at the Landfill with drop off locations with set pickup times each week. Chris stated if they could get grants or KDHE to help with the cost, it would be beneficial. Dan, Community Development, reported if he could get dimensions, he has a list of contractors he could reach out to for a cost analysis. Chris stated if we could get Road & Bridge to do dirt worker, it could save quite a bit.

**Graham County Appraiser, Rachelle Standley**

Rachelle Standley reported since she spoke about Neighborhood Revitalization Program a couple weeks ago, she has had quite a few people come in and pick up applications or call with question. She reported she wanted to make sure everyone knew it was a County wide plan, so everyone in the county that wants to build something or have a major remodel and they spend of $20,000.00, and their value is more then $20,000.00, everybody qualifies, it just depends on where you’re at in how much rebate you get. Rachelle provided a tax statement and provided information on how to figure out how much rebate you get back based of that. She reported there was a little bit of confusing on that because people didn’t understand why they didn’t qualify. She did report that it is a county wide plan so everybody qualifies and it doesn’t matter what kind of property is used for, residential, Ag, Commercial or whatever, there is no limit on the building classification. Rachelle reminded March 1, 2024, they will be mailing out the value notices on the real estate properties and reported the ag land is going down again this year. She reported so County wide, it looks like it is going down about $9 million and that is appraised value. She provided the Commissioners with a report showing the comparison of 2023 & 2024. Rachelle reported that she also gave them a report that shows averages of percent’s of increases and decreases. She reported that is the report that is generated out of their system and it’s also completely different from what the state puts out each year, so she’s not sure which one is the accurate one. Rachelle then said she wanted to mention there are 2 different Homestead programs right now. One of them is the traditional Homestead Act, it’s a program for residential homeowners that you have to be over 65 years and certain income guidelines or if you’re disabled on a certain percentage of disability or a veteran and your house has to be worth over a half million dollars, so everyone in county should qualify. She reported most people apply for that when they file their income tax and they will send up to $700 back directly to the person or to the Treasurer to offset their property tax on their homes. Rachelle reported there is a new program that started last year that is called the Golden Homestead Program. She reported she knows very little about it, it has about the same guidelines as the other one but it freezes your property tax on your home. She reported from her understanding, you can file for one or the other. Rachelle stated she is having trouble finding information on how you actually apply for the second program. Dan asked if it freezes property taxes based on age? Rachelle reported that was correct and if you apply for it this year, then it freezes your property tax until they change the program. Commissioner Tremblay asked so what happens if your property taxes go down. Rachelle responded with she thinks they can go down they just can’t go up. She reported so whatever your taxes were for the year you applied, is the year it freezes from going up and if your value goes up every year then it doesn’t effect those taxes, it still stays that level. She reported the Senate Tax has been talking quite a bit about the program so she emailed Senator Tyson and asked if they could put together a brochure or give us more information on how to get the word out. Rachelle reported one of the members of that committee said they went and talked to one of his local CPA’s and they had never heard of that program, so she went across the street to the Accountant’s office and mentioned it. Rachelle reported they do tweak the guidelines every year, even on the Homestead Act, they changed the income guidelines. She reported she doesn’t deal with those directly, so she doesn’t keep up with them but she knew the income used to be $36,000.00, then it was raised to $50,000.00 and now she thinks its being raised to $80,000.00 for this year, she also reported she things they are trying to make it so social security is not part of your income. Rachelle reported there is a lot going on in the legislature right now, there is a lot of LAVTR bills. She reported that there is a new bill on the LAVTR that after taxes are set, whatever the percentage is that each county gets, goes out as a rebate check to the home owner, but its separate from the school general. She reported there are several bills about personal property, trailers, UTVs, ATVs. She reported she is advising everyone to call their legislature as she doesn’t like they way they are taxed either. She reported she has someone in another county that has identical pickups, one they tag as a 16 thousand pound and the other is a 24 thousand pound and the 24 lb is significantly higher on the taxes, the way it’s valued, they have a guide they use and they way they value them is different, the percentage of the assessment rate is different and a 16/20 is done just like a car so its assess at 20% and a heavy truck is assessed at 30%. She reported they do have a way in motor vehicle system to do class codes on those heavy vehicles to do them all the same, so she is trying to push for them get them all under motor vehicle that way every vehicle in the state is fair and equal. She reported there is a lot of personal property bills out right now and she has been talking quite a bit with Adam Smith who is the chairperson of the House Taxation Committee and his wife is also a treasurer and he used to be a County Commissioner, so she feels like he has a very good understanding how the tax system works, so now they need to get them all to agree on something then vote on it and hope the Governor doesn’t veto it. Rachelle reported yesterday, they talked about in the Federal and State affairs, SB 373, about lobbyists and if you get any federal funds, you can not have a lobbyist. She reported it needs to be more specific the way it is written, she said she emailed everyone on that committee and said if every 105 county had 1 commissioner go to Topeka for every committee meeting, which is an hour, they don’t have time to let people testify now, how is that process ever going to work. She reported if we have a lobbyist, it’s cheaper if you figure all 105 counties going to Topeka, mileage, hotels, those expenses, paying 1 lobbyist is cheaper. Rachelle then asked Commissioners if they are getting emails from KAC. Both Commissioners confirmed they were. She reported they are the ones that send out the emails that say hey we need your support and they usually don’t send that unless they want us to start contacting people, so she wanted to make sure they were getting them. Rachelle stated she wanted to remind everyone that March 15th, 2024 is their personal property deadline, and we have a large number of people that have not signed their renditions and they want them in by March 15th to avoid penalties. She reported she always tells people when they mail them something, do not ignore it, because that means if they don’t get it back that usually means there will be penalties and those penalties can get quite expensive. She reported its always best to get the information in right up front and then we won’t have as many abatements if we can get them in on time. She reported they changed it, it used to be who owned it as of January 1, and now almost everything is prorated based on when you sold it and most people forget to tell us they sold something until they get their tax statement and then they have to go back and do those corrections.

**Community Member, JD Hiniger**

JD Hiniger arrived at this time. He asked the Commissioners if they wanted a complaint or good news. JD reported he hates to complain but, this corner office down here that issues tags she can’t get nothing done because she’s always so far behind, she can’t do nothing, I don’t know how many times I’ve heard that, but anyways, the other day, but what he needs to know, when they put the tag deal in there to renew your drivers license, just a regular tag you can go in there and do it, is that require of every county now he asked, or is that if you just volunteer to take it or what? Commissioner Tremblay reported he didn’t know. Commissioner Nelson asked JD what it was for again? JD reported it’s the tag, he said Jason couldn’t go because he has a CDL, but just like his wife, she’s just got a regular drivers license, she can go down there and take that test and you don’t have to go anywhere else, you just take it there and renew it. He said he didn’t know if that was a standard deal or if we volunteered for it, because his complaint it, Emily transferred to the Sheriff’s Office about 6 months ago, and come to find out, he guesses his wife went in there the other day and she said well we can’t do it right now, that’s what their excuse was. He then said, I asked Evie what do you mean they didn’t have time and she said well Amy was the only one to do it up there, she was trained to do it. Commissioner Nelson clarified, she was the only one there to renew a drivers license? JD said yes, so I can understand that, but that’s been 6 months ago and she still hasn’t had time, so she told Evie to come back in a week and Evie went back in a week and they still haven’t done nothing and she said well you’ll have to come back in a week so Evie went just the other day, and I guess when you run that deal up there, like the office up there, they’ve got, there’s got to be one person, well Keith took it and she flunked it. JD said so now they still can’t do any drivers licenses. Commissioner Nelson told JD his wife has taken the tests online here and she’s going to Topeka in March 7th, he thinks to finish it up and then she will be able to do them. JD said okay, but what he’s getting at is it required every county must do that, is that something we just volunteered to do or are all the counties doing it. Commissioner Nelson said they had to be certified to do it. JD said but then if, it is, why in the hell does it take 6 months to do that, I mean she’s not that busy, she can’t do that in 6 months to get somebody else trained to do that? Graham County Clerk, Kendra Robinson said it’s a course of trainings, like Melanie had to take a course of trainings. JD said he knows but after 6 months they ought to have it going. Kendra said she thinks Jeri was able to do it until hers expired. JD said she flunked it. Kendra said right, she hasn’t been able to pass the test, but before until it expired she was still able to do them even after Emily left, she was still doing drivers licenses and then it expired and in the meantime they have had Melanie taking the courses to get licensed. JD said he understands all that, but every time he goes in there, she’s always so damn busy she can’t get nothing done and if she is that busy, lets hire some more people and get stuff done. JD said that was his complaint cause right now he told Evie, go to WaKeeney, you’re always going to Hays, go to WaKeeney, and stop in there and do it, or even do it over at Hays, but she said well I need to do it here and he told her not necessarily, it’s just here for your convenience, but nothing against women, but sometimes, they don’t understand. Commissioner Nelson told him after March 7th, there should be somebody in that office that can do it. JD said Yeah, yeah, well that’s good, I didn’t know but I didn’t really know when it started years ago if we requested it or it was every courthouse was supposed to do it or whatever I didn’t know. Commissioner Nelson said he would assume every courthouse is supposed to have a drivers license. Kendra said she thinks they get the choice of if it’s full service or not, so like Phillips County, they can do the CDL’s and all of that because they are a full service, whereas they are not, they are just drivers license and they can request to be either or, just like passports, District Court doesn’t have to agree to do passports so its kind of the same thing. Commissioner Nelson said there is only Phillips, Hays and Thomas that do CDL’s. JD said he just thought he would bs the guys a little bit then asked if we wanted to get down to the serious part? He said it’s supposed to snow again Friday, there is a 34% chance, but the other day, well he can make a sales pitch, you guys need to buy any grass? He said its 160 acres, nothing but solid grass, no trees, good fence, you don’t get any minerals. Commissioner Nelson told him to find somebody from Colorado to buy it. JD said it’s just 13 miles south of Bogue, but it doesn’t have no water, its hard to sell grass with no water, he did have a water well, he hasn’t run any cows on it for 2 years, because he’s been hauling water, the well went dry and instead of checking it out, he just said well, I’m just going to sell it, well I can’t sell it if there is no water visible, you know, I’ve had some lookers but they said where’s the water, I said over at the neighbors. JD said but anyway, from Bogue 13 miles south, you can not believe that road, I know we’re in trouble, but I just thought I would bring it up, but that road is terrible, I mean one lane traffic, if there is somebody coming, you better find a dry spot to pull over because I mean it just needs some work but I know, you guys, I mean I’m not complaining it because I know we got a lot of problems around and if it snows again Friday, it ain’t going to get no better, so I just thought I’d throw that out. Commissioner Tremblay said it has been a challenge. JD said to Commissioner Tremblay why don’t you but that grass, you’re not to far apart, come on, be a sport, you’re closer then he is and pointed at Commissioner Nelson. JD said I was just curious about that, you know I know, I just thought after 6 months they would have time to get that taken care of. Commissioner Nelson said like I said hopefully it will be all taken care of in just a few weeks. JD said in a few weeks. Commissioner Nelson said March 7th is when she goes. JD said he thinks Evie is going to have go somewhere else because she’s going to be outdated by then. He said she’s always jumping me, he said well its not that bad of a deal if you got $1 / day or week, there is some type of penalty if you don’t have your license. JD said before leaving, he knows that he did complain about the road out north where is corrals are, I mean whoever went through there they just, which back then, it was blowing off those fields something terrible, you know, they bladed and they blew shut, so he called your buddy and I told him I said, when they go out there and blade that, tell them to widen that out, you know I said widen it out where we have a little extra room because, hell I went out there the other day in the afternoon, and you couldn’t get down that road, I figured Nutrien would be complaining, you know because they’re trying to move those buildings out there and stuff, and I figured they’d complain because you couldn’t get down that road, but the next morning I went out there and man he had that thing all cleaned out, and all scraped up and did a good job, he was trying to do it, but at first he said well I don’t know if I can be there, but then he said well I’ll see what I can do and the next morning it was mulled down, pretty crazy.

**Graham County Treasurer, Jeri Keith**

Jeri Keith arrived at this time. Jeri reported she wanted to talk about JD’s complaint. First of all, it is a voluntary thing, we don’t get paid for it, extensive testing to be certified, the testing she is trying to take is really for the CDL people. She reported it’s very, very complex, passports and green cards and stuff she doesn’t ever do. Commissioner Tremblay asked Jeri, so you’re trying to get qualified for CDL stuff? Jeri reported yeah, you have to get recertified, you have to take a test, online test, every 1-2 years, this is fraudulent document training which doesn’t even really apply to me because all they do is standard renewals and drivers ed kids. She reported if they have a passport, out of country, out of state even, she just sends them to a full service, so he needs to get his facts straight. Commissioner Nelson said he wasn’t sure how that all worked, he knew Melanie had taken hers. Jeri reported Melanies is a whole different deal, she’s already done all that, that is where you have to go in person and look at actual documents and stuff and pass it, it’s not fun. Jeri went on to say, no she hasn’t had time, she has stayed late a couple times trying to take the test and she could go somewhere else, it’s not that big of deal. Jeri said she just thought she would tell Commissioner’s completely voluntary, we don’t get any money for it, it is strictly just because we want to.

**Road & Bridge, Wayne Pfeifer**

Wayne Pfeifer, Road & Bridge Supervisor reported he doesn’t have much. He said he has blades running everywhere. He reported it’s getting kind of dry out on some of the roads. He reported the grader out in Colby is about done, maybe by the end of the week, they are still doing a few minor things to it. Commissioner Tremblay told Wayne that we just did get a complaint about the Bogue road. Wayne asked if it was north of Bogue or south of Bogue. Commissioners reported it was south of Bogue, from Bogue 13 miles south. Wayne asked if it was from JD, he just cornered him outside, said it was one lane, Wayne reported there was snow everywhere and they can’t do much if they are soaking wet on the edges. Commissioner Tremblay reported that is the only thing he has heard. Wayne reported that road the complaint was about, it had already been bladed. Commissioner Tremblay reported he assumed it had been as it was about a week ago he was on it. Wanye asked Commissioners if they had any other complaints. Commissioner Nelson told Wayne he might get with Cole (Graham County Sheriff) about somebody dumping some trees and stuff he talked to us about. Wayne reported he had heard about it this morning, he reported Ben said that stuff has been there, he said he thought there might have been some added to it. Wayne stated the picture he seen, there was a wheelbarrow in there. Commissioner Tremblay reported someone had complained about it obviously. Commissioner Tremblay told Wayne that Cole told him it could be done and invoiced so if they figure out who is doing it, they will be required to pay for it so if you did it, invoice it. Wanye asked Commissioners, so you’re wanting us to clean it up? Commissioner Tremblay and Nelson both said to talk to Cole and see what he thinks or go look at it. Wayne reported he would go out and look at it, he knows exactly where it is and see what is going on. Commissioner Nelson said he can’t picture exactly where it is. Wayne asked if it’s passed our right away, do you still want us cleaning it up? Commissioner Nelson said it wouldn’t be our deal then. Wanye said if it’s right beside the road, he could see it. Commissioner Tremblay said the way he described it, it’s right by the road. Wayne said he would have to see what the right away is on that, but he doesn’t know what it is at the north end. Commissioner Nelson told Wayne to see how much there is. Wayne said he seen a pretty good pile of stuff. Commissioner Nelson asked where is it coming from? Wayne said he didn’t know. Commissioner Nelson asked is it just trees or what? Wayne reported what he seen it looked like some trash and like stuff you might clean up out of your yard, not necessarily household garbage, but junk. Commissioner Tremblay told Wayne to check into it and get in contact with Cole. Commissioner Nelson said he could explain it to him. Wayne said he had it on his post, Sheriff’s post or Facebook this morning, that’s where he seen it. Wayne reported they have been trying to get some of these roads to harden up a little bit because if they start hauling on some of these with a semi, they are going to bust them out. He reported if it firms up and we don’t get anymore moisture, they are probably going to start trying to put some stuff on them, some hills but he knows they will destroy them they are still soft. Commissioner Nelson asked if he was able to figure out anything on the asphalt deal? Wayne reported he was supposed to call him back here in the next week or two, he reported they were trying to make another side up north of Norton when they move those millings, he had 10,000 tons left over, there’s 30,000 tons, and they were going to take 20,000 tons of it, and leave 10,000 that S&R out of Norton was wanting 2,000 of them, so then we could get 8,000 of them. Wayne reported he isn’t going to let the price out, but the guy is supposed to get back with him. He reported we are liable to get 8,000 tons. Commissioner Nelson asked if instead of hauling back and dumping them, if they could just haul it right to some of the hills. Wayne said they could some of it, but it might be a deal where he wants it off of their quicker because when we got them down south, the company they wanted it off within a week, but he’s kind of been dragging his feet so he doesn’t know. Wanye said sometimes they lease some of the ground and their lease runs out at the end of the month or whatever and then you get a week or two to get it hauled off, and if we do that, we aren’t going to have time to haul it on all the hills. He said he figured up it would be over 300 semi loads, he said he doesn’t like just pure millings, but if it comes down to if they spread it and it doesn’t work they might be able to mix in a little dirt in with it. Commissioner Tremblay asked Wanye if he had a chance to look at that chemical stuff Smith County uses? Wayne reported he had not had time, he tried to call once and didn’t get an answer, but would call again. He reported he would like to see how many miles they are budgeting each year and see if it’s doing them any good and if it works out, that might not be a bad investment. Wayne went on to say maybe they could pick a 10-12 mile stretch and do it, and on those FSA roads, maybe we can apply for government money and maybe we can get them to pay for part of that, it would be a matching deal, but years ago when we did the St. Peter road and even the Penokee road going north, the bad part about it was they had to replace every pipe but the state paid for 80% of it, so the good thing about that whole deal is we took out a lot of pipes we were able to reuse most of the pipes we took out. Wanye said if we want to do a road and apply for it, sometimes it takes 2 years to get qualified for it, they have to have an engineer onsite like Penco. Commissioner Tremblay asked if they had to oversee the project every day, Wayne responded not necessarily every day, but they will be onsite once or twice a week.

**New Business**

 Commissioners reviewed and signed 1 voucher for Freedom Claims for health insurance claims paid in the amount of $2,787.07.

As there was no further information to be discussed, Commissioner Tremblay made a motion to adjourn the meeting. Commissioner Nelson seconded the motion. Motion carried 2-0.

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Kendra Robinson, County Clerk Troy Tremblay, Chairman