

THE BOARD OF NESS COUNTY COMMISSIONERS  
January 2, 2024

The Ness County Board of Commissioners met in regular session Monday, January 2, 2024, at 9:00 a.m. in the Ness County Commissioner Chambers. Chairman Travis Petersilie called the meeting to order with Commissioners Mark Davis, Dave Albers, and County Clerk Lori Hertel in attendance.

**Road and Bridge**

Ness County Road and Bridge/Landfill Supervisor Ron Johnson made a correction to tipping fees of \$95.00 from December 12<sup>th</sup> thru December 16<sup>th</sup>, and \$275.00 for December 19<sup>th</sup> – 23<sup>rd</sup>. A crossing permit was approved for American Warrior, Inc. to install a pipeline for transport of saltwater. Permits are on file at the Road and Bridge Department. Fuel bids were presented as: Nusser- \$19,870.00, Midland Marketing-\$19,996.10, and AV Energy, LLC-\$20,242.50.

**Motion:** Upon the motion of Albers, seconded by Petersilie, Commission voted unanimously to accept low bid from Nusser Fuels for \$19,870.00. All bids are available for view at the Ness County Clerk's Office.

Commission and Johnson discussed Landfill reinspection results. All violations have been corrected. Post Closure Report for Landfill was reviewed and discussed.

**Minutes and Correspondence**

Minutes of Special Meeting held December 22, 2023, were approved as presented. Regular Meeting held December 26, 2023, was approved as corrected. Correspondence was reviewed and acknowledged.

**County Attorney**

Ness County Attorney Jacob Gayer reviewed and approved Accounts Payable.

**Motion:** Upon the motion of Albers, seconded by Davis, Commission unanimously voted to recess into executive session for Attorney-Client privilege exception, K.S.A. 75-4319(b)(2) for a period of 4 minutes beginning at 10:32 a.m. (Davis, Albers, Petersilie, Gayer, Johnson, Mitchell and Hertel in executive session). Regular session resumed at 10:36 a.m. No action taken.

Commission discussed open secretary position with Gayer.

**Ness County Health Department**

Ness County Health Department Administrator Dennille Schweitzer updated Commission on upcoming program the Health Department is hosting. January 24<sup>th</sup> at 6:30 p.m. Russ Tuttle will be presenting education on Human Trafficking at the Ness City High School. Program is open to the public. Lab day is moving to first Thursday of each month.

**Commission**

A letter of resignation was received from Galen Pfannenstiel, resigning from Center Township Treasurer position. Pfannenstiel suggested a possible replacement.

**Motion:** Upon the motion of Petersilie, seconded by Albers, Commission voted unanimously to appoint Craig Crosswhite as Center Township Treasurer.

**Accounts Payable**

Accounts payable for December 29, 2023, was reviewed, approved, and signed by Commission.

**Reorganization**

**Motion:** Upon the motion of Albers, seconded by Petersilie, the Commission voted unanimously to appoint Mark Davis, Chairman of the Ness County Commission.

**Motion:** Upon the motion of Davis, seconded by Petersilie, the Commission voted unanimously to approve a motion as follows:

That the Ness County News be named the Official County Publication.

That the following businesses be named as "Official Depositories":

First State Bank – Ness City  
First State Bank – Ransom  
Farmer's Bank and Trust – Bazine  
People's Bank & Trust - Ness City

#### **Mileage Rate**

**Motion:** Upon the motion of Davis, seconded by Albers, the Commission voted unanimously to set the mileage rate at 67 cents in accordance with the IRS, effective January 2, 2024.

**Motion:** Upon the motion of Albers, seconded by Petersilie, Commission voted unanimously to sign and approve Resolution #2024-01

#### **Resolution 2024 – 01**

**WHEREAS** Ness County, Kansas has determined that the financial statements and financial reports for the year ended 2024 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of Commissioners or the members of the general public of Ness County and

**WHEREAS** there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A 75-1120a(a) for the year ended 2024

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Ness County, Kansas in regular meeting duly assembled this 2<sup>nd</sup> day of January 2024 that the Board of Commissioners waives the requirements of K.S.A. 75-1120a(a) as they apply to Ness County for the year ended 2024

**BE IT FURTHER RESOLVED** that the Board of Commissioners shall cause the financial statements and financial reports of Ness County to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

PASSED and ADOPTED, this 2<sup>nd</sup> day of January 2024

BOARD OF COMMISSIONERS OF  
NESS COUNTY, KANSAS

#### **Resolution**

**Motion:** Upon the motion of Davis, seconded by Albers, the Commission voted unanimously to sign and approve Resolution 2024-02.

#### **Resolution 2024 – 02**

#### **RESOLUTION OF THE BOARD OF NESS COUNTY COMMISSIONERS AUTHORIZING PARTICIPATION IN RURAL OPPORTUNITY ZONE STUDENT LOAN REPAYMENT PROGRAM CALENDAR YEAR 2024**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NESS COUNTY, KANSAS,

**Section 1.** Pursuant to K.S.A. 2022 Supp. 74-50,223, the Board of County Commissioners expressed its intent to participate in the Rural Opportunity Zone (ROZ) student loan repayment program.

**Section 2.** NESS County has been designated a Rural Opportunity Zone pursuant to K.S.A. 2022 Supp. 74-50,222. As of July 1, 2023, the County population was 2645 as certified by the Kansas Department of Revenue.

**Section 3.** NESS County Commissioners hereby obligate NESS County to participate in the ROZ student loan repayment program as provided by K.S.A. 2022 Supp. 74-50,223 for a period of five years, which shall be irrevocable.

**Section 4.** NESS County agrees to pay in equal shares with the State of Kansas the outstanding student loan balance of any resident individual for five years if the resident individual meets the terms of qualification provided by the State of Kansas in K.S.A. 2022 Supp. 74-50,223, and the appropriate rules and regulations. The number of qualified resident individuals receiving such payments will be subject to the availability of funds.

**Section 5.** NESS County intends to enter into partnerships with Cities, Employers, and Foundations for the direct sponsorship of Rural Opportunity Zone Applicants. Sponsored Applicants must meet all qualifications of the ROZ program. All sponsorships will be subject to ROZ student loan repayment rules and regulations.

**Section 6.** The maximum student loan balance for each qualified resident individual to be repaid jointly by NESS County and the State of Kansas shall be \$15,000 over a term of five years.

**Section 7.** NESS County shall allocate \$0.00 a year for the purpose of matching payments from the State of Kansas to qualified resident individuals. NESS County shall revise its ROZ budget on an annual basis submitting a new Resolution to the State of Kansas by January 30<sup>th</sup> each year. NESS County shall submit their obligation in full to the Department of Commerce before the first day of October each year.

BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

Adopted this 2<sup>nd</sup> day of JANUARY 2024 by the Board of NESS County Commissioners, NESS County, Kansas.

BOARD OF COUNTY COMMISSIONERS OF  
OF NESS COUNTY, KANSAS

The meeting adjourned at 12:28 p.m.

Attest:

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Travis Petersilie, Chairman

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Lori Hertel, Ness County Clerk

January 2, 2024