

December 2020 Observer Reports

USD 345 Board Meeting

November 9, 2020

Observer: Chris Huntsman

All board members present except Frank Henderson. At one point 146 were watching remotely.

After recognizing the Horizon Winners (first year teacher elementary and secondary), the board went into executive session (only time KASB attorney could be present). No motion was made back in session.

President James Adams comments, with the truth being discovered about the school founder Fred Seaman being a KKK member/leader, that the district is inclusive and accepting of all diversities. After the George Floyd killing in Minneapolis, the board had planned a “community conversation” on race in the summer, however it was postponed because of COVID. It is now planned for December 7, 2020, possibly 7 p.m. in the gym and remotely.

Superintendent Noble’s comments were twofold: One, district test scores and, two, COVID update. He expressed concern with the county in the red zone and Seaman numbers increasing that remote learning might become a possibility. The health service person said contract tracing is getting hard to keep up with- several staff worked all weekend on new cases.

There were two public comments: One a Junior who wants to go full time onsite and why, and then a teacher (HS) who asked the board to remove the Seaman name. He lives in the district and is well respected. He has already destroyed all clothing, etc. with the Seaman name. He recommended Soldier School district for several reasons.

The board accepted a gift from Viking BP gas station (Haag Oil), who offered to pay all last year’s past due lunches for students/families in that situation. (\$6,000)

All Directors gave a report, written (on web site) and brief description and other “normal” business was conducted.

The five districts in Shawnee County have a “legislative priority document” called One United Voice for the Legislative Session in 2021. McNorton wanted mental health services added for staff and students. be added. McNorton is very concerned with staff’s mental health, and possible resignations at end of year.

The board went into another executive session, extended the time twice, and adjourned at 8:46 PM.

USD 437 Board Meeting
October 19, 2020
Observer: Mary Galligan (via livestream)

Seven members present

Meeting open to in-person public attendance and live-streamed; recording available on the District's YouTube [channel](#).

The USD 437 School Board:

1. Approved the following unanimously:

- Meeting Agenda
- Consent items
- A motion to go into Executive Session from 8:38 PM until 9:08 PM, for 30 minutes, to discuss: 1) personnel under the KOMA exception for discussion of matters relating to non-elected personnel; 2) students under the KOMA exception for discussion of actions adversely or favorably affecting a student; and 3) property under the KOMA exception for preliminary discussion of the acquisition of real property.
- Subsequent to Executive Session, a motion to approve student transfer requests.

2. Received

- Administrator report regarding implementation of Phase 2 attendance plan at the middle and high schools

3. Adjourned at 9:09 PM

USD 437 Board Meeting
November 2, 2020
Observer: Mary Galligan (via livestream)

Seven members present

Meeting open to in-person public attendance and live-streamed; recording available on the District's YouTube [channel](#).

The USD 437 School Board:

1. Approved the following unanimously:

- Meeting Agenda
- Consent items
- A motion to go into Executive Session from 8:43 PM until 9:13 PM, for 30 minutes, to discuss: 1) personnel under the KOMA exception for discussion of

matters relating to non-elected personnel and 3) property under the KOMA exception for preliminary discussion of the acquisition of real property.

2. Received

- Administrator report of options for implementation of a new attendance plan at the middle and high schools and a report about how snow days would be handled during the 2020-2021 SY

3. Adjourned at 9:13 PM (assumed time of adjournment as the livestream of the meeting ended at the motion to go into executive session and the announcement that no action would be taken after executive session).

Shawnee County Commission Meeting

Oct. 19, 2020

Observer: Mary Jo Hobbs

Three Commissioners present

The meeting began with Chairman Bill Riphahn making a motion to add an item to the agenda: "discuss current health orders." His motion died for lack of a second.

Zach Snethen of HTK Architects gave an update on the Family Park Master Plan development. To date they have done a community survey and had a workshop with Parks and Recreation staff. They have three concepts based on the ideas they have gathered, and these are posted on the Parks and Recreation homepage. They are asking that people vote for the concept they prefer.

The agenda business was routine. In Administrative Communications, Mr. Doug Rosencutter, a local businessman aired many concerns about the way the Health Department communicates with local businesses that have cases of COVID-19. He related a series of events that ended with him having to close his business for a time, and the Health Department notifying local media of their closure. He felt there should be better education from the department and consistent communication. Dusty Nichols, Incident Commander of the COVID-19 Response Team, was present and told commissioners that he knew a little about the situation with Mr. Rosencutter's business but wanted to get the full story and the timeline straight before he commented. He said he would return to the board with a report.

There was no need for an executive session.

**Shawnee County Commission Meeting
October 22, 2020
Observer: Elvera Johnson**

All commissioners present.

Election Commissioner Howell reported that there is a record number of registered voters in the county, up by over 2,000. He said almost half of the initial mailed out ballots have already been returned. Traffic for early voting in the Election Office has been heavy and steady all week.

Emergency management has done some investigation due to a citizen complaint about information he received from the Health Department regarding Covid exposure, which he found confusing. The investigation found that the Department used the provided script and behaved professionally. A number of follow-up contacts were made with the citizen. The department will continue to educate the public via news media and the web site.

For the Health Department: Commissioners approved renewal of a contract for electronic health record software; They renewed a contract with the Kansas Department of Health to obtain additional funds for the prevention and control of Tuberculosis; they approved a resolution for Linda Ochs to arrange for the use of rental hotel rooms for quarantine and isolation of Covid-19 and TB patients.

For Solid Waste, they approved a bid to purchase additional commercial containers.

For Court Administration, they approved the purchase of plexiglass barriers with payment from SPARK funds.

For Parks and Recreation, they approved bid solicitation for restroom renovation at the Kossover Tennis Facility; They approved solicitation of bids for on-call architectural and engineering services for capital improvements.

Betty Greiner gave a quarterly update on revenues and expenses. Revenues are down. Many Covid-related expenses were covered by grants.

Dr. Pezzino gave a Covid-19 update. The numbers of cases, hospitalizations and deaths are going up in recent weeks. There were 6 deaths this week. Commissioner Riphahn talked about something he read regarding false positive tests. Dr. Pezzino said that mostly people with symptoms have been tested. People have been hospitalized and have died. That would not suggest false positives. After listening to Mr. Riphahn a while longer, he said he was hired by them to prevent disease and death in the county. He would hope that the county officials would present a consistent, unified message about the seriousness of the disease and what to do about it. Providing a clear and consistent message to the public is the only way to get the numbers to go down. Mr

Cook asked if the advice is still to wear masks, wash hands and practice social distancing. Dr Pezzino said yes, do that and avoid crowds.

Corrections reported on initiatives they are working on to prevent Covid clusters in the jail.

The Health Department announced clinics for flu shots and a change in Covid testing schedule. Only one symptom is required now to ask for the test.

Commissioners Cook and Mays thanked staff for all the work they are doing to deal with Covid-19 and other issues.

No executive session.

Shawnee County Commission Meeting

Oct. 26, 2020

Observer: Mary Jo Hobbs

Three Commissioners present. It is notable that Chairman Riphahn wore a mask during most of the meeting – something he has chosen not to do in the past.

In recommending for approval of the voucher payments, Comm. Cook asked Betty Greiner, Director of Administrative Services and head of the committee awarding CARES Act grants, to give an update on the funds disbursed to date. Director Greiner reported that a total of \$14,586,426.00 has been disbursed: \$8,353,000 to cities, \$944,000 to public schools, and \$655,000 to community programs including private schools. These are funds to reimburse costs incurred because of COVID-19. She said the total represents almost 40% of the allocations approved by the committee.

The rest of the agenda was routine with a notable item from Parks + Recreation. Commissioners approved funding for the final leg of the Deer Creek Trail, which will extend it to 29th street and link it to the Shawnee Lake trail.

In Administrative Communications, Andrew Howell, Director of the Elections Office, gave the voting numbers as of this morning: Over 16,000 mail ballots have been returned so far: 8,356 through the post office; 2,191 in the election office; 4,821 to the trailer across the street from the election office; and 915 to the mobile trailer that has been circulating in the county. This represents 60% of the mail-in ballots sent out. Tuesday is the last day to request a mail ballot application. The office has had 1,700-1,900 people coming to vote each day last week. The total number cast in person so far is 9,100.

There was no need for an executive session.

Shawnee County Commission Meeting
Oct. 29, 2020
Observer: Mary Jo Hobbs

Three Commissioners present.

Chairman Riphahn requested that a report from the Election Office be added to the agenda. Director Andrew Howell began by reminding everyone that the office would be open for early voting from 8am to 7pm today and Friday. There are no Saturday hours and the last opportunity to vote early will be from 8am to noon on Monday though he warned that the lines will be long on that day. The number of early votes continues to be high, with a total of 14,299 being cast in person so far. 26,885 mail ballots have been sent out and 74% of those have been returned to date: 10,118 through the post office; 2,842 in the election office; 5,976 to the trailer across the street from the election office; and 1,076 to the mobile trailer that has been circulating in the county. Almost 30% of the 116,415 registered voters in the county have already voted.

Derik Flerlage, Infectious Disease Division Manager with the health department, gave an update on COVID-19 and the county's long-term care facilities (LTCF's). We have about 20 such facilities, depending on how you define them.

- The amount of testing of staff that is done depends on the positivity rate in the county: <5% - once/month; 5%-10% - Once a week; >10% - Twice a week.
- Though required to notify KDHE of positive test results, facilities are not required to report cases to the county health department.
- Since March the facilities have had about 25 clusters, with one location having 125+ cases.
- 10 facilities are currently being monitored – 8 are in active testing.
- Staff are usually the source of initial infection
 - frequently work in more than one institution, but not always transparent about other jobs
 - many aides are high school students
- There have been 5 -7 deaths from the virus in 8 out of the last 9 weeks, which mirrors the infection rate in the community.
- 71% of the COVID-19 deaths in the county have been at LTCF's.

The health department's response has included a nurse practitioner working as a dedicated liaison to the facilities, Dir. Flerlage being in constant communication with facilities through sometimes bi-weekly Zoom meetings, and the team working closely with KDHE/KDADS when positive tests show up. In addition to the clinical support, the health department is working to help staff interpret government mandates, review their policies and procedures, and giving them emotional support. Dir. Flerlage is in the beginning stages of creating a taskforce of members of the local long-term care industry to serve as an advisory council to help mitigate the spread of the disease in the facilities in the county. He stressed that protections for the vulnerable populations in LTCF's are

only as strong as the collective decisions we make. Controlling the rate of community infection is the best safe guard for the residents in long-term care.

In other health department business, commissioners approved a request to create and fill a social worker position using Capacity Cooperative Agreement Grant money. The two-year grant will fund a bachelor's level social worker to help individuals and families to deal with the day-to-day living issues resulting from COVID-19.

The voucher payments included \$1,174,529.21 in CARES Act disbursements to East Topeka Council on Aging, SENT, Sheltered Living, Inc., Topeka Housing Authority, City of Topeka, Cair Paravel, Shawnee Heights, Heritage Christian, and St. Mathews schools.

In Administrative Communications, Lee Welch, Court Administrator 3rd Judicial District, announced that the Topeka Bar Association will be awarding the Liberty Bell Award to the Drug Court at a Zoom ceremony on Friday November 6th at noon. Drug Court is a year-long, post-conviction, pre-sentencing program for drug users that, if completed successfully, can help them avoid a prison sentence.

Gianfranco Pezzino, Shawnee County Health Officer, announced that he will not be renewing his contract with the county at the end of December. He said the decision was for personal reasons and thanked the community for giving him the opportunity to serve. He was thanked for his service, both pre and post pandemic, by the commissioners and by Linda Ochs, Health Department Director.

Commissioners cancelled the Monday, November 16th meeting, they will be meeting as the Board of Canvassers at the Election Office on that day.

There was no need for an executive session.

Shawnee County Commission Meeting

Nov. 2, 2020

Observer: Mary Jo Hobbs

Three Commissioners present.

Voucher payments the commissioners approved included \$278,183.61 in CARES Act disbursements to community-based organizations: Doorstep, Helping Hands Humane Society, Children's Discovery Center, Race Against Breast Cancer, YWCA, and One Heart Project. They also granted funds to Shawnee Heights High School and Metropolitan Topeka Airport Authority.

The bulk of the 3+hour meeting was spent in a public hearing on the request from Waste Management, Inc. to revise its site plan at the Rolling Hills Landfill. In 2015 FEMA altered 100-year floodplain maps that affected 15.3 acres of the landfill, resulting in a loss of 2.5 million square yards of space. The revised site plan would allow the

landfill to create two hills with drainage between the hills and increase the elevation of each by 12.5'. Members of the public, including several realtors, spoke against the increase. They also complained that notification of the change was only sent to residents living 1,000 feet of the landfill. Commissioner Cook explained that 1,000 feet is what the statute requires. At the request of Commissioner Mays, the commission tabled the request for one week. Mays also requested a 10-minute executive session to consult with the County Attorney on the landfill issue in areas of attorney/client privilege. With a 5-minute break before, the session lasted over 30 minutes, with no explanation of the increased time. No further actions were taken.

Shawnee County Commission Meeting

Nov. 5, 2020

Observer: Vicki Arnett

All commissioners were present.

County Counselor, Jim Crowl, presented changes to construction contracts at Stormont Vail Events Center. The changes were approved unanimously.

The report of the administrative review committee was adopted. The report was not available with the agenda nor is it published on the website.

A hearing was set for Nov. 23, 2020 regarding a tax exemption requested by Reser's Fine Foods. The request is for 100% tax exemption for business generated by the rebuild of aspects of the plant. The exemption duration was not stated.

Register of Deeds, Becky Nioce requested approval of the transfer of funds from the register of deeds technology fund to the land records fund. This was approved unanimously.

Brian Cole, Corrections Dept., requested approval of two positions for community corrections. The positions will not be filled until 2021. Also approved was purchase replacement of radios for the detention centers.

Public works requested the approval of purchase of a tilt trailer and compact excavator for Monmouth Township. This was approved unanimously.

Emergency Management, Errin Mahan, requested approval of furniture to enhance the social distancing in the emergency management center due to COVID-19. Also approved was the purchase of decontamination devices to be paid with CARES Act funding.

Parks + Rec requested approval to fill two positions, replace the deck at Lake Shawnee Garden House and to continue to replace roofs on various buildings according to the maintenance schedule.

Linda Ochs with the health dept. requested approval to submit the plan to enroll in the CDC COVID-19 vaccination plan.

Stormont Vail Events Center requested and received approval to purchase technology booths and x-ray screening at the admission to the center. The purpose is to scan for safety reasons and to take temperature checks. They also received approval to contract for the signage due to name change.

Andrew Howell, Shawnee County Election Commissioner, spoke to the commission during administrative communications. All felt the election went smoothly. The commissioner thought that about 50% of election workers were new this year. There were some lines at the polls early in the morning but that was resolved quickly. About 50% of the votes cast were early in person or via mail. The commissioner told the governing body that he would likely be asking for additional work station equipment and technology in order to manage more efficiently the volume of mail ballot requests and returns. Mr. Howell spoke about a new supervision judge who failed to return one scanner's USB stick. This had to be retrieved and initially delayed results reporting until about 10:30 p.m. He thanked the poll and election workers, emergency management and all polling places. He reported that each week of early voting about 19,000 people were in the office for voting. In the future they will need to attend to additional cleaning responsibilities. He reported 2159 provisional ballots. Most ballots were a result of those who requested a mail ballot then changed their mind and voted in person.

The commission announced an executive session. They announced two 10 min. sessions to address personnel matters of non-elected officials and matters of attorney client privilege. Since the only recording available was audio, it is unknown the time of the executive session. Upon return Commissioner Riphahn announced that no action was taken and they were adjourned.

Shawnee County Commission Meeting

Nov. 9, 2020

Observer: Mary Jo Hobbs

Three Commissioners present.

Commissioners took up the deferred item from the Planning Commission to consider changes to the site plan at the Rolling Meadows Landfill. In the public hearing, residents of the area, including one member of the Soldier Township Board spoke against the increase in height in the proposed plan, and one neighbor complained of perceived pollution to his property from engines operating on the property. Commissioner Cook gave a timeline of the height changes to the original plan that resulted in the 1,112' mound in 1993 expanding to its present 1,164'. Commissioners questioned whether the plan for the improvements in drainage on the site could be adopted separately from the height increase. Since it could not, they voted unanimously to deny the resolution and

asked that the plan be reworked as requested and for a progress report to be given by the head of the Planning Commission at the December 31st meeting.

The commissioners approved voucher payments including \$1,656,772.33 in CARES Act disbursements to community-based organizations: Boys and Girls Club, SENT Inc., and Topeka Rescue Mission. They also granted funds to Auburn-Washburn School District and Mater Dei Parish.

Stormont Vail Events Center was given approval to use Coronavirus Relief Funds for portable ticket scanning pedestal systems, which will be another level of safety for patrons attending events at the center.

The board recognized the recently formed Farm and Food Advisory Council, which was created as an outgrowth of the county food assessment done in 2017. The Health Department worked with 75 community partners to study food access in the county. Citing the estimated 51million pounds of food wasted in the county every year, Chairman Bill Riphahn proposed the appointment of Bill Sutton, Director of the Solid Waste Department, to represent the commission on the new council.

Betty Greiner, Director of Administrative Services, gave an update on finances as of the end of October. Revenues are down by 8% and expenditures are 2.8% under budget. Property tax numbers were down, and the county had a quarter million+ dollar refund it was required to pay on two years of tax over-estimation. Loss of fees for Parks + Recreation accounted for \$220,000 in the deficit. Though expenditures, primarily in Parks+ Recreation and Department of Corrections, were under budget, Dir. Greiner said it was too soon to forecast how revenues might end for the year. Almost all revenue has been collected for the year, we still have two months of expenses to go and monies budgeted for each department are at the discretion of the departments to spend.

Commissioners acknowledged notification of the retirement of Health Department Director, Linda Ochs, commending her for her service to the county. Her long-planned retirement will begin the end of this year.

In Administrative Communications, Lea Dawn Welch, Court Services Administrator, announced that they will be holding the first jury trial since the courthouse was closed for COVID-19 in March starting next Monday. The court will empanel a jury for a larger trial on December 14th, using Agricultural Hall for the voir dire and holding the trial at the courthouse. Ms. Welch noted that they are having to call many more people to fill the juries because the response rate is down and there is a higher rate of excusals due to virus concerns.

There was no need for an executive session.

Shawnee County Commission Meeting

November 12, 2020

Observer: Elvera Johnson

All three commissioners present.

The Commission approved a resolution to create a Public Health Technical Advisory Board, to recommend a new medical officer. Members would represent the hospitals, mental health, Grace Med and a physician at large. In response to a question, Linda Ochs recommended Dr. Cooley as the at-large physician. Commissioner Cook and Ms. Ochs expressed hope that the advisory board could be an ongoing board regarding public health issues.

The Commission approved the budget to remove and replace basketball courts at Ripley and Cushinberry Parks. The present courts are in poor condition. They approved a bid to replace siding and windows at Forbes Golf Course Pro Shop. They approved renewal of a technology software service for Register of Deeds and a lease and storage agreement for propane cylinders with the Weed Department. They acknowledged receipt of correspondence from Sheriff Hill regarding renewal of software maintenance and the purchase of 2 vehicles

Treasurer Larry Mah announced that real estate tax statements will be mailed this week. He encourages mail or online payment options. He said that only the state legislature can remove late payment penalties. Dr Cohen, a "semi retired" local physician, commended the Public Health Department for good work. Commissioner Mays recognized veterans. Commissioner Cook urged responsible behavior in regard to Covid-19 and announced a press conference this afternoon regarding the pandemic.

Commissioner Riphahn reminded everyone that the Monday meeting, November 16, has been canceled

No executive session.

Topeka City Council Meeting

Oct. 20, 2020

Observer: Vicki Arnett

All city council members, including the mayor were present.

The council appointed Randy Clayton to the Topeka Public Building Commission.

The council approved unanimously the city's application to KDOT Alternatives grant program. The application continues the complete streets plan. The next steps would connect the Dornwood Trail.

After much consideration and public input, the council rescinded a previously passed ordinance, which approved the ability of contractors licensed to install city utilities to install and repair water and sewer lines servicing an industrial or commercial development. The previously approved ordinance was objected too by plumbers.

The council approved a special committee on Fire Service to extend their time to finish its work and report to the body until April 6, 2021.

The only public comments were from Joseph Ledbetter. He recommended the council review and approve all contracts over \$50,000.

Reminders to vote and that Oct. is fire prevention month. They complemented the Shawnee County Election Office on doing a great job. Councilman Duncan recommended a city holiday be considered in the future to allow city employees paid time to vote and/or work at the polls. The council was also thanked for addressing an overgrown tree which interfered with the view at an intersection, creating a traffic problem.

No additional council meetings until Nov. 10.

The council met in executive session on personnel matters. No action was anticipated.

Topeka City Council Meeting
Nov. 10, 2020
Observer: Vicki Arnett

All city council members were present, including the mayor, either in the council chambers or via zoom.

The statewide recognition for meritorious service by a fire fighter was presented to a member of TFD. The council thanked and recognized several community partners, including LWVTSC, in completing the U.S. Census. The community effort fell slightly short of the target.

The consent agenda passed unanimously.

The council approved unanimously the citywide half cent sales tax projects listed in the public infrastructure projects for 2021.

The council approved unanimously setting a public hearing for Dec. 1, 2020 to consider a community improvement district for the Downtown Ramada Hotel and Convention Center.

The council approved 9-1, with councilwoman Valdivia Alcala voting no, to move forward with discussions to transfer zoo governance to the Friends of the Topeka Zoo. Council also heard from their financial risk management advisor regarding considerations. Areas of risk identified were cost, future regulatory compliance, staffing

and governance risk. Although private entities are perceived as something worthwhile to provide donations for and tax increases are not viewed positively, government entities are able to provide stable funding through bonding and taxes. Government entities also are considered more credit worthy. There is no immediate cost savings, in the first 5-10 years, of this public private partnership. Entry into the agreement is based on predictable costs, now and short term, not long- term cost. The proposal, would transfer current and future operating costs and future asset management to FOTZ. The proposal would have two city council members serve on the FOTZ board. It is a risk since they will not have controlling interest on the board. This is currently in proposal form only but discussions are continuing.

There was no public comment.

Council announcements included city offices are still open but masks are strongly recommended. Most council members thanked veterans for their service. All council members spoke about taking cautions regarding COVID and the possible overwhelming of our regional medical centers. The city will participate in a press conference tomorrow announcing additional restrictions. Topeka Public Schools will return to on-line learning effective Mon. Nov. 16. Many council members thanked the mayor for her positive, strong campaign.

The council did hold an executive session of 20 minutes to discuss non-elected personnel.