

THE BOARD OF NESS COUNTY COMMISSIONERS  
January 12, 2025

The Ness County Board of Commissioners met in regular session Monday, January 12, 2025, 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 Deputy Treasurer Bandy Hertel in attendance.

**Road and Bridge**

Ness County Road and Bridge/Landfill Supervisor Bryan Whipple and Assistant Supervisor Eric Seib, met with Commission.

\$355.00 was received in tipping fees December 30 – January 3, 2026. 940 yards of rock and 380 yards of sand was hauled January 5, 2026 - January 9, 2026.

Schedule for the week was presented.

Road and ditch issues were discussed.

Colby Dunagan from Foley Equipment and Brad Smith from Murphy Tractor were present.

Smith presented new quotes on graders reflecting new discounts. John Deere 670P- \$338,042.89 and John Deere 770P-\$355,381.33. Commission will make final decision at next meeting.

**Commission**

Attorney Logan Schultz called to discuss a legal matter.

**Motion:** Upon the motion of Albers, seconded by Petersilie, Commission voted to recess into executive session to discuss pending litigation pursuant to the attorney-client privileged communication exception K.S.A. 75-4319(b)(2), for a period of 10 minutes beginning at 9:14 a.m. Motion carried unanimously (Petersilie, Albers, Davis, B. Hertel and Attorney Logan Schultz by phone conference in executive session). Regular session resumed at 9:24 a.m. No decisions were made.

**Minutes and Correspondence**

Minutes of Regular Meeting held January 5, 2026, were approved as corrected.

Correspondence was reviewed and acknowledged.

**Treasurer**

Ness County Treasurer Malee Schaben discussed financial processes that she is reviewing with Commission.

Collection of delinquent taxes was discussed.

**Adds/Abate/Escapes to Tax Roll**

The following changes were made to the 2025 tax roll: Abate- Real Estate-\$27,713.44.

**County Attorney**

Ness County Attorney Jacob Gayer reviewed proposed Resolutions for calendar year 2026. Gayer provided legal counsel on an ongoing issue with Associated Materials.

**Motion:** Upon the motion of Petersilie, seconded by Davis, Commission voted unanimously to file suit against Associated Materials. Attorney Logan Schultz will start the process.

**ROZ**

**Motion:** Upon the motion of Petersilie, seconded by Davis, Commission unanimously voted to adopt Resolution 2026-01, authorizing participation in Rural Opportunity Zone Student Loan Repayment Program calendar year 2026.

Resolution No. 2026-01

**RESOLUTION OF THE BOARD OF NESS COUNTY COMMISSIONERS**  
**AUTHORIZING PARTICIPATION IN RURAL OPPORTUNITY ZONE STUDENT**  
**LOAN REPAYMENT PROGRAM CALENDAR YEAR 2026**

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

**Section 1.** Pursuant to K.S.A. 2025 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. 2025 Supp. 74-50,222. As of July 1, 2025, the County population was 2617 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. 2025 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. 2025 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.** Pursuant to K.S.A. 2025 Supp. 74-50,223, financial contributions by the State of Kansas shall be subject to any restrictions imposed under applicable appropriation acts enacted by Kansas Legislature. As required under Senate Bill 125 from the 2025 Kansas Legislative Session Laws, the Ness County population was 15,000 or less as of the 2020 census.

**Section 6.** 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 7.** 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 8.** 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.

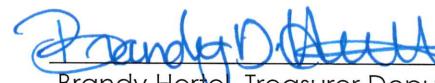
BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

Adopted this 12<sup>th</sup> day of January 2026 by the Board of Ness County Commissioners, Ness County, Kansas.

The meeting adjourned at 12:00 p.m.

Attest:

  
Travis Petersilie, Chairman

  
Brandy Herle, Treasurer Deputy Clerk

January 12, 2026