

THE BOARD OF NESS COUNTY COMMISSIONERS
February 23, 2026

The Ness County Board of Commissioners met in regular session Monday, February 23, 2026, 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 Bryan Whipple, and Assistant Supervisor Eric Seib met with Commissioners.

Fuel bids were presented:

Midland Marketing: 1000 gals. Unleaded 87 Octane - \$1,869.90
2000 gals. Red Premium Diesel - \$5,119.80
4000 gals. Clear premium diesel - \$11,267.60
AV Energy: 1000 gals. Unleaded 87 Octane - \$1,852.40
2000 gals. Red Premium Diesel - \$5,232.26
4000 gals. Clear premium diesel - \$11,484.52
J & J Fuel: 1000 gals. Unleaded 87 Octane - \$2,120.00
2000 gals. Red Premium Diesel - \$5,180.00
4000 gals. Clear premium diesel - \$12,360.00

Motion: Upon the motion of Davis, seconded by Albers, Commission unanimously voted to accept Midland Marketing bids for a total cost of \$18,257.30. All bids are available for view at the Ness County Clerk's Office.

Final reports have been filed with the State on OS101 Culvert Replacement (Hinnergardt Bridge). Project complete.

Ness County Clerk Lori Hertel requested an Executive session to discuss an employee matter.

Motion: Upon the motion of Albers, seconded by Davis, Commission unanimously voted to recess into executive session to discuss an employee matter pursuant to the nonelected personnel matter exception, K.S.A. 75-4319(b)(1) for a period of 10 minutes beginning at 9:24 a.m. Motion carried unanimously (Petersilie, Albers, Davis, Whipple and Hertel in executive session). Regular session resumed at 9:34 p.m. No decisions were made. \$455.00 was received in tipping fees February 11 – February 13, 2026. 460 yards wind tower rock and 345 yards of crushed concrete was hauled February 17 – February 20.

Noxious Weed

Ness County Noxious Weed Director Chilton Miller met with Commission.

Flooring repair has been completed.

Discussion on unused mower attachments. List on Purple Wave auction site.

Update on Prairie Dog eradication within County.

Register of Deeds

Ness County Register of Deeds Brandi Reinert met with Commission to update them on the Ness County App that she has been working on. The App is ready to be tested by Department Heads, then if it seems to be working correctly, it will go live to the public. This is a free App, to both the County & Public.

Emergency Management

Ness County Emergency Management Director Travis Rothe met with Commission to present a Resolution of Local Disaster Emergency for approval.

Motion: Upon the motion of Davis, seconded by Albers, Commission unanimously voted to adopt Resolution # 2026-03 Proclamation of Local Disaster Emergency for Ness County.

Resolution #2026-03 And Proclamation

PROCLAMATION of a State of Local Disaster Emergency for Ness County,

WHEREAS on the 17th day of February 2026, the Board of Commissioners of Ness County, Kansas finds that certain conditions have caused or eminently threaten to cause wide-spread or severe damage, injury, or loss if life or property in disaster proportion in Ness County, Kansas.

WHEREAS such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Ness County, Kansas.

Now, therefore, be it resolved by the Board of Commissioners of Ness County, Kansas:

That the Board of County Commissioners of Ness County, Kansas, under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Ness County, Kansas covered by this proclamation/resolution is the entire area of Ness County, Kansas.

BE IT FURTHER RESOLVED that said Board has all the rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparation Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED THAT this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF NESS COUNTY COMMISSIONERS THIS 23rd DAY OF February 2026.

Commission

Commissioner Albers gave an update on the Airport Board meeting he had attended on the County's behalf.

Daily Statement

Daily Statements for February 2 - 13, 2026, were reviewed, approved, and signed by Commission.

County Attorney

Ness County Attorney Jacob Gayer met with Commission to review progress on abandoned road process, and delinquent tax recoupment/tax sale. Accounts Payable for February 20, 2026, was reviewed by Gayer.

Minutes and Correspondence

Minutes of Regular Meeting held February 17, 2026, were approved as presented. Correspondence was reviewed and acknowledged. Payment Under Protest applications were reviewed.

County Clerk

Ness County Clerk Lori Hertel requested an Executive session to discuss employee matters. **Motion:** Upon the motion of Albers, seconded by Davis, Commission unanimously voted to recess into executive session to discuss employee matters pursuant to the nonelected personnel matter exception, K.S.A. 75-4319(b)(1) for a period of 5 minutes beginning at 11:00 a.m. Motion carried unanimously (Petersilie, Albers, Davis, and Hertel in executive session). Regular session resumed at 11:05 a.m. No decisions were made.

Accounts Payable

Accounts Payable for February 20, 2026, were reviewed, approved, and signed by Commission.

The meeting adjourned at 11:45 a.m.

Attest:


Travis Petersilie, Chairman


Lori Hertel, County Clerk

February 23, 2026