

**RECORD OF PROCEEDINGS
BOARD OF COMMISSIONERS
MARION COUNTY, KS**

April 15, 2019

Commission met in regular session at 9:00 a.m. in the Commission chambers at the Marion County Courthouse with Chr. Kent Becker, Comm. Randy Dallke, and Comm. Dianne R. Novak present. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Co. Counselor Brad Jantz, Nick Peter, Ron White, Tom Britain, Amy Soyez, Carl Stovall, Nadine Iseli, Roger Kaiser, Sherry Conyers, Gordon Pendergraft, Henry Ethem, Roger Holter, Don Bowers, Anita Seacat, Donald Moelleker, Merle Flaming, Barry Gwinn, Robert Sellers, Jonah Gehring, Amy Stutzman, Randy Eitzen, Brice Goebel, other members of the public, and members of the press.

ADMINISTRATIVE: Novak moved to approve the minutes of April 8th as written. Dallke seconded. Motion carried 3-0.

- Bruce Boettcher of BG Consultants stopped in to let the Commission know about potential KDOT funding that may be available later in the year.
- The March Clerk's Report and department budget reports were reviewed.
- Salary sheets were signed: Bridgette Meliza, 911 Operator – six month raise from \$14.34/hour to \$14.62/hour effective 4/3/2019; Bryant Edwards, new Corrections Officer at \$13.08/hour effective 3/29/2019; Joshua Meliza, new Deputy Sheriff at \$17.02/hour effective 4/8/2019; Gwenda Rutherford, change from part-time to full-time EMT effective 4/13/2019 (no change to hourly pay).
- Early checks were approved for processing: #47974 to Cooperative Grain & Supply in the amount of \$18,221.09 for transport fuel – R&B Fund; #47975 to Postalocity.com in the amount of \$1,357.11 for postage prepayment – Appraiser Fund.
- Budgeted transfers were approved:

R&B Sales Tax to Capital Improvement	\$ 91,007.33
Road Maintenance & Improvement 7 mill levy (General) to Capital Improvement	\$318,525.66
Road & Bridge Fund to Special Machinery & Equipment Fund	\$133,333.33
- Copy Paper Bids (100 cases) were reviewed:

Baker Brothers Printing, Hillsboro	\$3,475.00
Navrat's Office Products, Emporia	\$3,570.00
Office Plus of Kansas, Wichita	\$3,690.00
Precision Printing, Emporia	\$3,380.00

Dallke moved to accept the bid from Baker Brothers in the amount of \$3,475.00. Becker seconded and motion carried 3-0.

- An invoice for pagers for Tampa EMS came in at a higher cost than expected. Commission previously approved a 50% cost share up to \$910.35. The actual invoice is \$2,193.30. 50% is \$1,061.05. Dallke moved to approve payment of half the invoice to TBS for pagers in the amount of \$1,061.05. Novak seconded and motion carried 3-0.

DEPARTMENT ON AGING: Dir. Gayla Ratzlaff presented a quarterly update.

ZONING CONCERN: Donna Kaiser presented concerns regarding zoning regulations and perceived lack of enforcement at the County Lake. Planning/Zoning Dir. Sharon Omstead was also present. Co. Counselor Brad Jantz joined the session at approximately 10:15 a.m. Concerns were expressed regarding metal sheds being built in residential areas. Omstead indicated that as long as the structures contain living quarters they are compliant. Zoning regulations do not address the aesthetics or building materials utilized. Jantz indicated that the most effective way to regulate the appearance of the properties in the area would be for the property owners to form a homeowners association and implement restrictive covenants. Omstead indicated that she will follow up on a reported violation of the regulation on a prior build.

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead requested an additional full time staff member to assist, as the department currently has 111 open cases. No decision was made.

- Omstead requested an executive session to discuss personnel/performance. Becker moved to recess into executive session to discuss personnel performance pursuant to K.S.A. 75-4319b(1) for personnel matters with the Board, Omstead, Jantz, and Spencer present for five minutes (from 10:57 a.m. to 11:02 a.m.) with open session to resume in Commission chambers following the closed session. Dallke seconded. Motion carried 3-0. Open session resumed with a motion by Becker to recess into executive session to discuss personnel/performance pursuant to K.S.A. 75-4319b(1) for personnel matters with the Board, Omstead, Jantz, and Spencer present for 10 minutes (from 11:03 a.m. to 11:15 a.m.) with open session to resume in Commission chambers following the closed session. Dallke seconded and motion carried 3-0. Open session resumed with a motion by Becker to increase Omstead's salary from \$18.00/hour to \$21.51/hour. Dallke seconded and motion carried 3-0.
- Discussion about potentially asking for review and/or revision to Article 27 of the Zoning Code ensued. A time will be scheduled for further Board discussion.

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April 15, 2019, Continued

AMBULANCE: Dir. Travis Parmley presented statistics for the month of March and provided a department update.

- The Board confirmed prior consent to move forward with a grant for a Zoll monitor. The County share is \$15,820.00 and the State will pay \$20,000.00.
- May 18th is tentatively slated for an open house at the Marion Station. The Board had no objections.

TRANSFER STATION PROJECT UPDATE: Dir. Bud Druse and Randy Purdue of Kaw Valley Engineering were present for a project update. Purdue indicated that drawings for Phase 2 and Phase 3 are nearing 80% completion. Dallke will serve as the Commission representative at a project meeting to review plans and discuss the next phases.

- Novak moved to approve Pay Estimate #3 in the amount of \$91,494.01. Dallke seconded and motion carried 3-0.
- After a lengthy discussion, Novak moved to purchase a TUF CUT 20 horsepower tire cutting machine in the amount of \$31,936.00. Dallke seconded and motion carried 3-0. Lease purchase bids will be sought.

SHERIFF: Sheriff Rob Craft presented a Proclamation for approval. Becker moved to issue a Proclamation declaring April 14th – April 21st, 2019 as National 911 Telecommunicator Week in Marion County, Kansas. Dallke seconded and motion carried 3-0.

- Craft requested an executive session to discuss personnel/medical leave. Becker moved to recess into executive session for 10 minutes to discuss personnel/medical leave with the Board, Craft, Jantz, and Spencer present until 12:40 p.m. (12 minutes, beginning at 12:28 p.m.) with open session to resume in Commission chambers following the closed session. Dallke seconded and motion carried 3-0. Open session resumed with a motion by Becker to approve shared sick leave requests for two employees that meet eligibility requirements. Dallke seconded and motion carried 3-0.

PUBLIC COMMENT: David Marsh encouraged the Board to consider a moratorium or extended protest petition process in regard to industrial wind projects.

- Robert Sellers commented about the inconsistency in regulation between different types of energy – particularly that the oil and gas industry is regulated by federal and state governments, but wind energy falls on local government.
- Randy Eitzen expressed frustration that the Board has not implemented a moratorium and implied that attorneys have been hired to represent the interests of those in opposition of further wind energy development in the County.
- Tom Britain indicated that a lawsuit against the County is ready to go. Britain asked if any action is being pursued against former EMS Director Ed Debasis. Jantz responded that inquiries have been made but no action is pending.

Session recessed for five minutes.

EMPLOYMENT APPLICATION REVIEW: Becker moved to recess into executive session to review employment applications for the County Engineer position pursuant to K.S.A. 75-4319b(1) for personnel matters with the Board, Jantz, and Spencer present for 15 minutes (from 1:35 p.m. until 1:50 p.m.) with open session to resume in Commission chambers following the closed session. Dallke seconded and motion carried 3-0. Open session resumed with a motion by Becker to recess into executive session to review employment applications for the County Engineer position pursuant to K.S.A. 75-4319b(1) for personnel matters with the Board, Jantz, and Spencer present for 15 minutes (from 1:50 p.m. until 2:05 p.m.) with open session to resume in Commission chambers following the closed session. Dallke seconded and motion carried 3-0. Dallke left the meeting during the closed session at 2:03 p.m. Open session resumed with no action.

Becker moved to adjourn. Novak seconded and motion carried 2-0. Meeting adjourned at 2:07 p.m.

Kent Becker, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

**RECORD OF PROCEEDINGS
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April 15, 2019, Continued

PROCLAMATION

**National 9-1-1 Telecommunicator Week
April 14th – April 21st, 2019**

WHEREAS, 9-1-1 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities; and

WHEREAS, 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81); and

WHEREAS, the ENHANCE 911 Act of 2004 (Public Law 108-494) established enhanced 9-1-1 as a high national priority as part of our Nation's homeland security and public safety; and

WHEREAS, people of all ages use 9-1-1, and it is critical to educate the public of all ages on the proper use of 9-1-1; and

WHEREAS, a growing segment of the population, including the deaf, hard of hearing, deaf-blind, and individuals with speech disabilities increasingly communicate with nontraditional text, video and instant messaging communications services and anticipate that these services will be able to connect directly to 9-1-1; and

WHEREAS, thousands of 9-1-1 calls are made every year by children properly trained on the use of 9-1-1, resulting in lives saved which underscores the critical importance of training children early in life about 9-1-1; and

WHEREAS, there is widespread misuse of the 9-1-1 system, including prank and non-emergency calls, which can result in costly and inefficient use of 9-1-1 and emergency response resources.

NOW, therefore, the County Commissioners of Marion County, Kansas, do hereby proclaim the second full week of April 2019 as National 9-1-1 Education Month. I call upon all government officials, parents, teachers, school administrators, caregivers, businesses leaders, non-profit organizations, and the people of the United States to observe this month with training, events, and activities to educate the public on 9-1-1 and its services.

Dated this 15th day of April, 2019.



Kent Becker, Commission Chairman

Attest:


Tina D. Spencer, Marion County Clerk

