

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

June 3, 2019

Commission met in regular session at 9:00 a.m. in the Commission chambers at the Marion County Courthouse with Chr. Kent Becker and Comm. Dianne R. Novak present. Comm. Randy Dallke joined the session at approximately 10:15 a.m. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Ashley Herpich, Tom Britain, Henry Ethem, Trayce Warner, Amy Stutzman, Amy Soyez, Yvonne Cushenbery, Jonah Gehring, Mary Crabb, Larry Fine, Pat Pelstring, Jesse Hopkins-Hoel, Joel Suderman, Dave Crofoot, other members of the public, and members of the press.

ADMINISTRATIVE: Novak moved to approve the minutes of May 28th as written. Becker seconded. Motion carried 2-0.

- Novak moved to approve the minutes of May 31st as written. Becker seconded and motion carried 2-0.
- Becker moved to approve the agreement between the Marion County Health Department and the Marion County Special Education Cooperative for vision and hearing screenings. Novak seconded and motion carried 2-0. Chr. Becker signed the agreement. There were no changes from the previous year.
- Spencer requested an executive session to discuss personnel performance for five minutes. Becker moved to recess into executive session for five minutes to discuss personnel performance pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board and Spencer present for five minutes from 9:10 a.m. to 9:15 a.m. with open session to resume in Commission chambers following the closed session. Novak seconded and motion carried 2-0. Open session resumed with no action.
- Other topics for future Board consideration included reconfiguration of the Commission chambers and the process for the review of the job descriptions of the Road & Bridge department.
- Brice Goebel joined the session. Becker moved to recess into executive session to discuss the contract for the Marion County Engineer position pursuant to K.S.A. 75-4319b (1) with the Board and Goebel present for 15 minutes (from 9:27 a.m.) until 9:42 a.m. with open session to resume in Commission chambers following the closed session. Novak seconded and motion carried 2-0. Open session resumed with no action.

FIVE YEAR SOLID WASTE PLAN: Weed/HHW/Transfer Station/ Recycling Dir. Bud Druse joined the session. Chr. Becker opened a public hearing for comments regarding the five year solid waste plan. Amy Soyez asked why the tire cutting machine is not listed in the plan, and Druse indicated that it would be added as an amendment at a later time. Trayce Warner asked about the disposal of the cut tires, and Druse explained that when they are cut they are allowed to be included with the regular municipal solid waste (trash). Warner asked about construction and demolition (C&D) waste. Druse indicated that C&D is also disposed of with the regular municipal solid waste. Comm. Novak questioned the process to provide public access to the plan document. A suggestion was made to post the information on the County website and to provide additional information in the notice of public hearing in the future. The public hearing was closed. Becker moved to approve the five year solid waste management plan with Marion, Harvey, & McPherson Counties. Novak seconded and motion carried 2-0.

TAX SALE: Attorney Susan Robson reported that one batch of title work for properties eligible for the tax sale has been started and billed to the County. Additional parcels are eligible for inclusion, and letters have been sent to those property owners. Robson asked whether the Board would like her to proceed with ordering title work on the additional properties. The consensus of the Board was for Robson to proceed with ordering the title work.

CO. ENGINEER DISCUSSION: Co. Counselor Brad Jantz joined the meeting via telephone. Becker moved to recess into executive session to discuss the Co. Engineer contract pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Jantz, and Brice Goebel present for 15 minutes (from 10:15 a.m.) until 10:30 a.m. Novak seconded and motion carried 2-0. Comm. Randy Dallke joined the executive session in progress. Open session resumed with a motion by Becker to ratify an employment agreement made and entered into on the 3rd day of June, 2019 by and between Marion County, Kansas and Brice Goebel, employee, a licensed professional engineer in the State of Kansas for a one year term commencing June 3, 2019 through May 31, 2020. Dallke seconded and motion carried 3-0.

CO. COUNSELOR: Novak asked Jantz for procedural advice regarding the ability of a County Commissioner to view documents of the County which are not eligible for disclosure as a public record. Jantz indicated that the Board would either need to review the documents in a properly called executive session or to specifically authorize the release of the documents to an individual Commissioner. A specific request was discussed, and the consensus of the Board was to schedule a time on the agenda for the Board to review the records together.

Becker moved to recess into executive session to discuss pending litigation pursuant to K.S.A. 75-4319b (2) for attorney/client business with the Board and Jantz present (by phone from 10:44) until 10:55 a.m. Dallke seconded and motion carried 3-0. Open session resumed with no action.

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June 3, 2019, Continued

PUBLIC COMMENTS: Yvonne Cushenbery asked whether the wages of the Road & Bridge Superintendent would be changing. Becker indicated that has not yet been discussed by the Board.

Becker moved to adjourn. Dallke seconded and motion carried 3-0. Meeting adjourned at 10:57 a.m.

Kent Becker, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk