

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

March 15, 2021

Commission met in regular session at 12:30 p.m. in Commission chambers at the Marion County Courthouse with Vice Chr. Dave Crofoot, Comm. Kent Becker, Comm. David Mueller, and Comm. Jonah Gehring present. Chr. Randy Dallke joined the session at approximately 12:50 p.m. Also present were Co. Counselor Brad Jantz and Co. Clerk Tina Spencer. Present for portions of the session were County staff, members of the public, and members of the press.

**PUBLIC COMMENTS:** None.

**ADMINISTRATIVE:** Two executive sessions were added to the end of the agenda – one for attorney/client business and the other for personnel/performance.

- Marion County received reimbursement from the State for cleaning up contaminated soil at the transfer station building site.
- Crofoot moved to approve the minutes from March 8<sup>th</sup> and March 9<sup>th</sup>. Gehring seconded and motion carried 4-0.
- Change orders affecting 2020 and prior years' tax rolls were reviewed and signed by the Board.
- Final documents regarding SPARK funding were presented for approval. There were no changes from the previous report. Gehring moved to approve the CRF Report. Becker seconded and motion carried 4-0. Becker moved to approve the County change memo. Gehring seconded and motion carried 4-0.
- Salary changes from previous action taken by the Commission effective 2/21/2021 were approved by the Board: Brandy Ankenman – from \$2,432.00/mo. to \$2,453.00/mo.; Julia Ensminger from \$2,432.00/mo. to \$2,453.00/mo.; Kathern Swan from \$3,278.00/mo. to \$3,408.00/mo.; James Philpott from \$18.45/hour to \$19.00/hour; Sharon Omstead from \$4,044.00/mo. to \$4,080.00/mo.; Jason Creevan from \$2,911.00/mo. to \$2,936.00/mo.; David Silhan from \$2,663.00/mo. to \$2,830.00/mo.; Troy Schmidt from \$2,710.00/mo. to \$2,733.00/mo.; Mark Schale from \$3,018.00/mo. to \$3,044.00/mo.; Dale Nellans from \$2,759.00/mo. to \$2,782.00/mo.; Kenneth Knust from \$2,759.00/mo. to \$2,782.00/mo.; Douglas Hanson from \$2,661.00/mo. to \$2,683.00/mo.; Jeffrey Stenzel from \$2,965.00/mo. to \$3,044.00/mo.; Karen Selznick from \$3,116.00/mo. to \$3,151.00/mo.
- A Covid-19 update from Health Officer Diedre Serene was read by Spencer. Marion County's current positivity rate is 4.2% with 10 active cases. Crofoot noted that Serene applied for a grant in the amount of \$158,000.00.
- Chr. Dallke joined the session.
- Gehring moved to approve an amendment to the cafeteria plan document (allowing a carryover for flex spending accounts of \$550/year). Becker seconded and motion carried 5-0.
- Dallke moved to adopt Resolution 2021-08 declaring a state of local disaster emergency within Marion County (for wildland fires March 3-11). Gehring seconded and motion carried 5-0.

**ROAD & BRIDGE:** Co. Engineer Brice Goebel presented Transport Fuel Bids for review:

	Tank #3	Tank #1	Unleaded	
	4,000 gals.	1,000 gals.	3,000 gals.	Total
MFA Oil, Lincolnville	2.5434	2.2838	2.3053	\$19,373.30
Epp's Service, Elbing	2.4520	2.2855	2.3185	\$19,409.00
Coop Grain, Hillsboro	2.5538	2.2978	2.3143	\$19,455.90

Gehring moved to accept the bid from MFA Oil in the amount of \$19,373.30. Crofoot seconded and motion carried 5-0.

- Goebel showed pictures of roadwork performed by landowners without permission. The work shown was not pre-approved and does not meet department standards. Jantz said the landowners can be sent a violation letter. A resolution previously developed will be reviewed for next steps.
- Goebel presented a salary sheet for Steve Hudson to change from Interim R&B Supt. to R&B Supt. from \$3,813.00/mo. to \$4,333.00/mo. effective 3/15/2021. After discussion Crofoot moved to approve the pay raise for Steve Hudson. Mueller seconded and motion carried 5-0.
- Upcoming and ongoing projects were discussed with no action.

**PLANNING/ZONING/ENVIRONMENTAL HEALTH:** Dir. Sharon Omstead presented Resolution 2021-09 for approval (regarding the petition and request to vacate a portion of West Street and a portion of First Street and a portion of Main Street and all the dedicated alley on Block 6; all in the Canada Townsite Plat, Marion County, Kansas). Requestor Dan Bernhardt was also present. Omstead said the Planning Commission held the required hearing and recommended approval. Counselor Jantz requested additional language be added regarding preservation of easements. Gehring moved to go with the Planning Commission's recommendation and adopt Resolution 2021-09 as amended. Mueller seconded and motion carried 5-0.

- Omstead provided a new residence report and provided a current breakdown of activities in the department.

**RECORD OF PROCEEDINGS  
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March 15, 2021, Continued

**AMBULANCE:** Dir. Travis Parmley provided run statistics and accounts receivable reporting. Parmley requested that the Board write-off \$17,498.79 in uncollectable accounts for the first quarter of 2021. Becker moved to approve quarterly write-offs in the amount of \$17,498.79. Crofoot seconded and motion carried 5-0.

- Parmley requested approval of a quote from Flaming's to replace the air conditioning unit at the Marion Station. Dallke moved to approve the quote in the amount of \$8,728.00. Gehring seconded and motion carried 5-0.
- The proposed building project for a new Hillsboro station was discussed. Hillsboro City Administrator Matt Stiles said the property has been surveyed, and a lot split is required. Contractor Cody Nelson of NF Construction joined the session to outline basic building plans that he has developed with Parmley. After discussion, Crofoot moved to have NF Construction proceed with development of a proposal for a design-build (also known as cost plus with GNP). Mueller seconded and motion carried 5-0.

**PUBLIC COMMENTS:** None.

**COMMISSION COMMENTS:** Becker reminded the Board to keep track of what is happening with the legislature.

- Gehring commented that the County's reduced positivity rate for COVID-19 is a good sign.

**CO. COUNSELOR:** Dallke moved to recess into executive session to discuss matters of litigation pursuant to K.S.A. 75-4319b (2) for matters deemed privileged in the attorney/client relationship with the Board and Jantz present for 15 minutes until 2:33 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

**DEPT. HEAD EVALUATIONS:** Dallke moved to recess into executive session to discuss department head performance evaluations pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with only the Board present for 15 minutes until 2:52 p.m. Mueller seconded and motion carried 5-0. Open session resumed with no action.

Resolution 2021-09 was signed by the Board.

Gehring moved to adjourn. Dallke seconded and motion carried 5-0. Meeting adjourned at 2:53 p.m.

\_\_\_\_\_  
Randy Dallke, Chairman

ATTEST: \_\_\_\_\_  
Tina D. Spencer, County Clerk

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

March 15, 2021, Continued

**DISASTER PROCLAMATION RESOLUTION 2021- 08**

**DECLARING A STATE OF LOCAL DISASTER EMERGENCY  
FOR MARION COUNTY, KANSAS**

**WHEREAS** on this 15 day of March, 2021, the Board of Commissioners of Marion County, Kansas, finds that certain conditions caused, or eminently threatened to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion. During the time-frame henceforth set out, critical Red Flag conditions existed in Marion County. The combination of dry grassland, accompanied by low relative humidity, and gusty winds increased the risk of wildland fire spread. Marion County Fire Departments responded to 25 grass fires to include the Clover Wildland Fire during March 3-11, 2021 in Marion County, Kansas; and

**WHEREAS**, such conditions created obstructions which endangered health, safety and welfare of persons and property within the border of Marion County, Kansas.

**NOW, THEREFORE**, be it resolved by the Board of Commissioners of Marion County, Kansas,

That the Board of County Commissioners of Marion County, under and by virtue of the authority vested in it by K.S.A. 48-932, that a State of Local Disaster Emergency exists within Marion County, Kansas.

**IT IS FURTHER RESOLVED AND PROCLAIMED** that the area within the borders of Marion County, Kansas covered by this proclamation is the entire area of Marion County, Kansas.

**BE IT FURTHER RESOLVED:** That the Board of County Commissioners shall have all of the rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975, as amended,


**BE IT FURTHER PROCLAIMED** that this disaster emergency declaration shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the Board of County Commissioners of Marion County, Kansas.

So, proclaimed this 15 day of March, 2021.

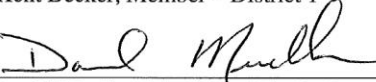
**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, KANSAS**

  
Randy Dalike, Chairman – District 3

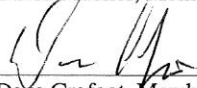
☒ Yea  
☐ Nay  
☐ Abstain

  
Kent Becker, Member – District 1


☒ Yea  
☐ Nay  
☐ Abstain

  
David Mueller, Member – District 2

☒ Yea  
☐ Nay  
☐ Abstain

  
Dave Crofoot, Member – District 4

☒ Yea  
☐ Nay  
☐ Abstain

  
Jonah Gehring, Member – District 5

☒ Yea  
☐ Nay  
☐ Abstain

ATTEST:  
  
Tina D. Spencer, County Clerk



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

March 15, 2021, Continued

**RESOLUTION NO. 2021-09**

**A RESOLUTION ON THE PETITION AND REQUEST TO VACATE A PORTION OF WEST STREET (NARROW), AND; A PORTION OF FIRST STREET (194<sup>TH</sup> TERRACE), AND; A PORTION OF MAIN STREET (NAVEJO), AND; ALL THE DEDICATED ALLEY ON BLOCK 6; ALL IN THE CANADA TOWNSITE PLAT, MARION COUNTY, KANSAS.**

WHEREAS, the Board of Commission of Marion County, Kansas, having heard testimony and having reviewed all documentation, finds that legal notice has been given by publication as required by law, pursuant to K.S.A. 58-2613 et seq; and

WHEREAS, a public hearing was held at which time concerned persons had the opportunity to speak on this issue; and

WHEREAS, the public will suffer no loss or inconvenience as a result of the action, and in consideration of the request that has been made, an order should be granted;

THEREFORE, it is ordered by the governing body of Marion County, Kansas, that the following described roadway be vacated, to wit:

All of the right-of-way for that portion of West Street (Narrow) north of the intersection of West (Narrow) and First Street (194<sup>th</sup> Terrace) between Block 3 and Block 4, and; all of the right-of-way for First Street (194<sup>th</sup> Terrace) east of the intersection of First (194<sup>th</sup> Terrace) and Main Street (Navajo) between Block 2 and Block 7, and; all of the right-of-way for Main (Navajo) north of the intersection of Main (Navajo) and First (194<sup>th</sup> Terrace) between Block 2 and Block 3, and; all of the dedicated alley on Block 6 between Lots 1 through 6 and Lots 7 through 18; all in the Plat of Canada Townsite, Marion County, Kansas. All building setbacks, as outlined in the Marion County Zoning Regulations, shall be enforced.

All easements of record of any kind or character shall remain and be preserved.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARION, KANSAS, on this 15 day of March, 2021.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, KANSAS

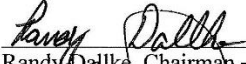
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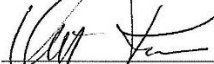
March 15, 2021, Continued

**RESOLUTION 2021-09 SIGNATURE PAGE**

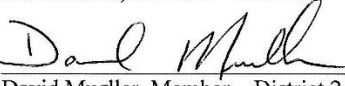
**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, KANSAS**

  
Randy Dallke, Chairman – District 3


☒ Yea  
☐ Nay  
☐ Abstain

  
Kent Becker, Member – District 1


☒ Yea  
☐ Nay  
☐ Abstain

  
David Mueller, Member – District 2

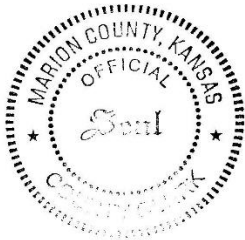
☒ Yea  
☐ Nay  
☐ Abstain

  
Dave Crofoot, Member – District 4

☒ Yea  
☐ Nay  
☐ Abstain

  
Jonah Gehring, Member – District 5

☒ Yea  
☐ Nay  
☐ Abstain



ATTEST:  
  
Tina D. Spencer, County Clerk