

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

July 12, 2021

Commission met for a special budget work session at 10:00 a.m. followed by regular business at 12:30 p.m. in Commission chambers at the Marion County Courthouse with Chr. Randy Dallke, Comm. Kent Becker, Comm. Dave Crofoot, Comm. Jonah Gehring, and Comm. David Mueller present. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Co. Counselor Brad Jantz, County staff, members of the public, and members of the press.

BUDGET WORK SESSION: Scot Loyd, Tifanie Becker and Hannah Hageman of Swindoll, Janzen, Hawk & Loyd were present to assist the Commission with the 2022 budget preparation. Capital planning, especially in regard to roads, was discussed. The next budget meeting will be Monday, July 19th at 10:00 a.m. The budget work session adjourned at 12:05 p.m. Regular session was called to order by Chr. Dallke at 12:30 p.m.

PUBLIC COMMENTS: Becky Edson commented that an additional progress billing request for the concrete crushing project has been submitted to the Road & Bridge department for payment. Edson commented that the project will likely be completed by the end of the week, and there is more material than initially planned for in the contract. The Board said they will discuss it with the Co. Engineer during the scheduled time for Road & Bridge.

ADMINISTRATIVE: Meeting information from Senior Citizens of Marion County was provided for review.

- A document reporting the transfer of ownership of the Expedition Wind project from National Renewable Solutions LLC to Orsted Onshore North America, LLC was provided for review.
- A written notification from Co. Attorney Joel Ensey stated that Brian L. Bina will serve as special prosecutor for case 21-JV-4 and 21-JV-8 and one other case for the same juvenile due to a conflict.
- Gehring moved to approve the minutes of July 6th. Becker seconded and motion carried 5-0.
- Dallke moved to approve early check (#54073) in the amount of \$2,520.00 for travel guide listings from Transient Guest Tax. Gehring seconded and motion carried 5-0. Co. Counselor Jantz joined the session at 12:38 p.m.
- Salary sheets were signed for: Carl Miller – change from Co. Appraiser to Assistant Co. Appraiser effective 7/1/2021 with no change in pay; Nicole Reid – from \$3,929.00/mo. to \$4,333.00/mo. - change from Assistant Co. Appraiser to Co. Appraiser effective 7/1/2021; Katie Eberle – new full-time AEMT at \$13.93/hour effective 6/28/2021.
- Two additional application letters for .gov domain names for Marion County were provided for approval. Mueller moved to approve the application letters and authorize the Chairman to sign. Gehring seconded, 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
Coop Grain, Hillsboro	2.5349	2.27890	2.4771	\$19,849.80
MFA Oil, Lincolnville	2.5481	2.29894	2.4977	\$19,983.90

Gehring moved to accept Goebel's recommendation and award the bid to Cooperative Grain in the amount of \$19,849.80. Mueller seconded and motion carried 5-0.

- Dallke moved to recess into executive session to discuss personnel/performance pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Goebel, Jantz and Spencer present for five minutes, until 1:00 p.m. Gehring seconded and motion carried 5-0. Open session resumed with a motion by Dallke to promote Tyler Bentz from Equipment Operator I to Equipment Operator II from \$2,536.00/mo. to \$2,662.00/mo. effective 6/21/2021. Gehring seconded and motion carried 5-0. A salary sheet was signed.
- Goebel requested approval to move forward with lease-purchase of two new Caterpillar motor graders at \$372,707 each. No action was taken. Goebel will provide additional information at the next meeting.
- The rock crushing contract with Asphalt Paving & Maintenance was discussed. Dallke moved to approve a progress payment up to ¼ of the contract price and pay with an early check next week. Mueller seconded. Motion carried 5-0.
- The Nighthawk rebuild is now in progress.
- Moving the reduced speed zone further north on Upland was discussed with no action.

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead, Co. Engineer Brice Goebel, and Emergency Management Dir. Randy Frank were present to discuss the upcoming and future special events in Pilsen surrounding Father Emil Kapaun, and requested approval for Russ Ewy with Baughman Co., Inc. to assist with planning needs around the upcoming event as well as future related events.

- After discussion, Mueller moved that Marion County, through their contract with Baughman & Associates, develop an addendum to the contract authorizing expenditures not to exceed \$10,000.00 for assistance with planning for future development and tourism (related to the Father Kapaun events) and to direct staff to determine if Transient Guest Tax funds may be utilized for some portion thereof or all, if possible. Crofoot seconded and motion failed 2-3 with Dallke, Becker and Gehring opposed.

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July 12, 2021, Continued

PLANNING/ZONING/ENVIRONMENTAL HEALTH, CONTINUED: Gehring moved that Marion County, through their contract with Baughman & Associates, develop an addendum to the contract authorizing expenditures not to exceed \$5,000.00 for assistance with planning for future development and tourism (related to the Father Kapaun events) and to direct staff to determine if Transient Guest Tax funds may be utilized for some portion thereof or all, if possible. Becker seconded and motion carried 5-0.

- Omstead requested an executive session to discuss contract negotiation for 15 minutes. Dallke moved to recess into executive session to discuss contract negotiation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Omstead, Jantz, and Spencer present for 15 minutes until 2:25 p.m. Gehring seconded and motion carried 5-0.
- Open session resumed with a motion by Dallke to recess into executive session to discuss contract negotiation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Omstead, Jantz, and Spencer present for 15 minutes until 2:42 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.
- Dallke moved to recess into executive session to discuss matters of litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Omstead, Jantz, and Spencer present for five minutes until 2:48 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

EMERGENCY MANAGEMENT: Dir. Randy Frank was present for a quarterly update. Frank reported regarding the recent flooding in the County, and response from different agencies.

- Frank reported that the State has requested additional information in the Emergency Operations Plan and once the changes are made it will be resubmitted for final approval.
- Hand sanitizer has been given to the Fair Board for distribution at the fair later this month.

PARK & LAKE: Supt. Isaac Hett and Cody Nelson of NF Construction presented a basic conceptual drawing showing the shape and proposed dimensions of the new heated dock structure. It was noted that the structure will not initially include a locker room/storage area, but that could potentially be added later in an on-land building.

- The final contract has not yet been received for the building project. Nelson said he will forward it on for approval. Gehring moved to accept the contract and authorize the Chairman to sign pending staff review. Becker seconded and motion carried 5-0.
- A decision on whether to sell the pieces fabricated by the previous builder was tabled.
- It was noted that the recommendations for repair of the dam should be received by the end of the week.

CO. ATTORNEY: Co. Attorney Joel Ensey was present to request office space in the building that currently houses the Extension Office. However, he noted that the Planning and Zoning department might have a greater need. Ensey asked the Board to keep the County Attorney's Office space needs in mind.

PUBLIC COMMENTS: Dennis Smith encouraged the Board to consider allowing proposals for additional dock locations to be added at the County Lake. No decisions were made.

COMMISSION COMMENTS: Comm. Becker said he continues to receive complaints about the vehicles parked on the cement at the transfer station, and about individuals struggling with the slope.

- Dallke said he intends to speak with Hamm about possibly trucking for the County. The Board had no objections to Dallke having the conversation.

CO. COUNSELOR: Dallke moved to recess into executive session to discuss matters of potential litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Jantz, and Spencer present for 10 minutes until 3:54 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

Gehring moved to adjourn. Dallke seconded and motion carried 5-0. Meeting adjourned at 3:55 p.m.

Randy Dallke, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk