

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

August 9, 2021

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

**CO. ADMINISTRATOR WORK SESSION:** Comm. Mueller and Comm. Gehring reviewed information they have gathered so far regarding county administrators. After discussion, Becker indicated he was leaning toward a part-time administrator that could transition to full time. Gehring and Crofoot both preferred a full-time position. Mueller said that full-time is his goal, but he is open to beginning with part-time under the right circumstances. Dallke said he was open to either full-time or part-time as long as everything is clearly laid out and planned in advance. The work session ended at 12:01 p.m. Regular session was called to order by Chr. Dallke at 12:30 p.m.

**PUBLIC COMMENTS:** None.

**TCW BROADBAND GRANT:** Angie Schwerdtfeger, Director of Public Relations for TCT Broadband Solutions was present to request a letter of support from the Commission for a broadband grant being submitted by their subsidiary TCW to build a fiber to premise network to Durham, Lehigh, and Peabody. There is no cost to the cities or the County. Dallke moved to provide a letter of support for the project to extend series to Peabody, Durham and Lehigh. Gehring seconded and motion carried 5-0.

**ADMINISTRATIVE:** Gehring moved to approve proposed changes to the Administrative Specialist I job description for the Treasurer's Office. Mueller seconded and motion carried 5-0.

- A Covid-19 update from the Health Department was read to the Board. Marion County has 15 active cases, one known case of the Delta variant, and no current hospitalizations.
- Mueller moved to approve the minutes of August 2<sup>nd</sup>. Gehring seconded and motion carried 5-0.
- The lease for the building currently used by the Planning and Zoning department is due to be extended. A one-year extension with no changes was presented for approval. Becker moved to approve a one-year extension to the lease agreement. Gehring seconded and motion carried 5-0 with Crofoot abstaining due to conflict of interest. (Abstention counted with majority prevailing.)
- An addendum to the agreement with Planning Consultant Russ Ewy with Baughman Co. was presented for approval. The services were approved July 12, 2021. Gehring moved to approve the addendum document based on staff review. Mueller seconded and motion carried 5-0.
- The Courthouse server that houses the AS400 is due to be replaced. The cost is \$27,039.99 which includes three years' maintenance costs. Money has been budgeted in the AS400 line of the General Fund. Mueller moved to approve the server replacement in the amount of \$27,040.00. Gehring seconded and motion carried 5-0.

**CO. ENGINEER:** Co. Engineer Brice Goebel was present for department business. Goebel indicated that the concrete crushing job is complete and the quantities are higher than expected. A final invoice has been presented and Goebel is verifying quantities. Mueller moved to proceed with payment of the balance of the contract amount up to the original bid. Gehring seconded and motion carried 5-0. Once quantities are verified, Goebel will present a final invoice.

- Potential road closure on 190<sup>th</sup> between Chisholm Trail and K-15 was discussed due to the rating of a bridge located in that mile. Goebel is recommending closure due to the low rating of the bridge, and the department has placed road closed signs pending official action. Landowners in the area told Board members that the condition of the bridge has not changed much and there is a posted weight limit. When asked, Goebel said no immediate action is necessary. After discussion, Becker moved to take down the road closed signs. Dallke seconded and motion carried 4-1 with Mueller opposed.
- Ongoing and upcoming projects were discussed with no action.
- 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, Jantz, and Goebel present for 10 minutes (until 1:48 p.m.). Becker seconded and motion carried 5-0. Open session resumed with no action.

**WEED/HHW/TRANSFER STATION:** Dir. Josh Housman presented the solid waste management plan five-year worksheet for review and approval. Gehring moved to approve the five-year worksheet for the solid waste management plan. Crofoot seconded and motion carried 5-0.

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August 9, 2021, Continued

**WEED/HHW/TRANSFER STATION, CONTINUED:** Housman noted that the main transport truck (semi) broke down, and the backup is being used. However, the tires were not safe to drive on. Housman reported that he purchased new tires for \$3,232.98 from Rod's. Becker moved to approve the purchase. Dallke seconded and motion carried 5-0.

- A quote to add two additional cameras to the transfer station was presented at a cost of \$1,594.00. The vendor was My Alarm Service in Newton, KS. Crofoot moved to approve the purchase in the amount of \$1,594.00 for two cameras and accessories. Mueller seconded and motion carried 5-0.

**COUNTY BUDGET REVIEW/AMERICAN RESCUE PLAN SERVICE PROPOSAL:** Scot Loyd and Jon Albrecht of Swindoll, Janzen, Hawk and Loyd joined the session. Loyd reviewed the most recent version of the County budget, which was set at 75 mills. Albrecht discussed the ARP funding including possible projects, and regulations. An engagement letter indicating a proposed fee of five percent was reviewed by the Board. Gehring moved to approve the engagement of Swindoll, Janzen, Hawk and Loyd (per the proposal). Becker seconded and motion carried 5-0.

**PUBLIC COMMENTS:** None.

**ATTORNEY/CLIENT BUSINESS:** 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 and Jantz present for 15 minutes until 3:10 p.m. Gehring seconded and motion carried 5-0.

- Upon return to open session, Dallke announced that a settlement agreement between Enel Green Power Diamond Vista Wind Project, LLC (EGP) and Marion County has been reviewed and is ready for approval. The negotiated amount to be paid to the County for reimbursement for road damage under the Road Maintenance Agreement is \$433,720.00. Gehring moved to approve the settlement agreement and release contingent upon their (EGP's) signature and (County's) receipt of payment. Dallke seconded and motion carried 5-0. Payment is due within 14 business days of both parties' execution of the agreement.

**COMMISSION COMMENTS:** Crofoot said that the engineer is scheduled to assess the dam on Wednesday. The old dock is being taken out of the water this week, and then NF Construction will be working on dirt work at the EMS building site in Hillsboro.

Dallke moved to adjourn. Gehring seconded and motion carried 5-0. Meeting adjourned at 3:17 p.m.

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Randy Dallke, Chairman

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