

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

August 16, 2021

Commission met for a work session on the topic of developing a land bank 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.

WORK SESSION – COUNTY LAND BANK: Co. Counselor Brad Jantz joined the session at 10:38 a.m. and reviewed information regarding land banks, and potential actions to take to form a land bank for Marion County. The general consensus of the Board was favorable toward forming a County land bank. Work session adjourned at 12:00 p.m. Regular session was called to order at 12:30 p.m.

PUBLIC COMMENTS: Dianne Novak asked Clerk Spencer whether the County's vote tabulating equipment has had any updates since the November, 2020 election. Spencer said it has not. Novak commented that on her recent travels to California, she drove through a huge area of wind turbines, and all the poles were black on the top, with oil dripping down them. Upon returning home, she saw similar black residue on a wind turbine in a pasture.

ADMINISTRATIVE: Gehring moved to approve the minutes of August 9th. Mueller seconded and motion carried 5-0

- Change orders affecting 2020 and prior year's tax rolls were reviewed and signed by the Board.
- A salary sheet was signed for new Transfer Station Worker I Casey Regalado at \$2,300.00/mo. effective 8/13/2021.
- Dallke moved to approve Pay Application #2 (to Coughlin Company, Inc. in the amount of \$995,752.52 for the Nighthawk/330th project). Gehring seconded and motion carried 5-0.
- Dallke moved to approve Change Order #2 (on the Nighthawk/330th project) in the amount of \$88,666.46. Mueller seconded and motion carried 5-0.
- Dallke moved to approve payables in the amount of \$1,045,652.52 (checks #54307-54309). Mueller seconded and motion carried 5-0.
- A proposal from NF Construction to add a walk-through door on the north side of the transfer station was presented. After discussion, Gehring moved, contingent upon the door being 36" in width, to go with Nelson Fowles Construction in the amount of \$4,156.25. Crofoot seconded and motion carried 5-0.
- A proposal for SD Security, LLC to provide security services for district court was reviewed. The minimum annual amount is approximately \$50,000.00/year. After discussion, Muller moved to proceed with SD Security, LLC per the proposal presented for district court security effective as soon as possible. Mueller withdrew his motion and the Board determined that the company will be asked to attend an upcoming Commission meeting to discuss the details.
- A written COVID-19 update from Health Dept. Administrator Diedre Serene was read. The report noted 14 active cases as of 7:30 a.m. and no hospitalizations. A booster dose of the Pfizer and Moderna vaccine may be administered to fully vaccinated individuals who are deemed by their physicians to be moderately to severely immunocompromised.
- Dallke issued a directive for Counselor Jantz to prepare a resolution to create a County land bank, including a mission statement, and structured with the Board of County Commissioners serving as the Land Bank Board of Directors.

ROAD & BRIDGE: Co. Engineer Brice Goebel was present for department business. Goebel provided an update on multiple upcoming and ongoing department projects.

- Dallke raised concerns with Goebel regarding the up and down motion and floating feeling reported to him by citizens driving on 60th west of Peabody, which was just redone. Goebel indicated that no corrective action is available short of adding an asphalt overlay or re-milling the road and doing it over. This road was done as part of the Nighthawk/330th project.
- Goebel noted that additional oil required for the Nighthawk/330th project will add about \$70,000.00 to the cost.
- Goebel was instructed to continue mowing along paved roads despite a complaint by a citizen upset regarding grass clippings on the roadway. Co. Counselor Jantz was directed to see if there is a state statute that governs the matter. If so, alternate guidance will be provided to Goebel.
- Goebel provided photos of a bridge on 190th, and a letter requesting absolution of personal and professional liability due to the Commission overriding his professional recommendation regarding emergency closure of the roadway. Goebel's letter further requested signature of the Commission stating that they still have confidence in the Co. Engineer and the Road & Bridge department. The Board noted that they have not lost confidence in the department, but rather there are many other similar or identical situations across the County and those roads have not been closed.
- 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 five minutes until 2:23 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.

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

August 16, 2021, Continued

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead presented a summary of open projects and a map and list of new residences. It was noted that several individuals have stopped building due to increased cost of materials. The Board directed Omstead to determine whether some sort of Board action is warranted to assist individuals who are in this situation.

- Omstead presented the report regarding the most recent test of monitoring wells located at the former landfill site.

MARION COUNTY VETERANS MEMORIAL: Warren Kreutziger requested that the County provide a legal description of land to potentially be designated as a location for a memorial honoring all Marion County veterans. Park & Lake Supt. Isaac Hett was also present. After discussion, Dallke moved to complete a survey of the circular area (near the existing statue/memorial) for use as a Countywide Veterans Memorial site. Becker seconded and motion carried 5-0.

- Hett noted that the old heated dock has been removed from the lake, and the dam has been inspected by the engineering firm with recommendations expected by the end of the month.
- Hett was directed to have a family wishing to hold a memorial service (including a 21-gun salute) at the Lake apply for a special event permit.
- Hett was advised by Jantz that a dispute between neighbors regarding the repair of a private roadway at the Lake is a civil matter and the County cannot be involved.
- Hett reported that the Bluegrass at the Lake event cleared just over \$5,000.00.

EMERGENCY MANAGEMENT: Dir. Randy Frank was present to review the Emergency Support Functions (ESFs) and other appendices to the Emergency Operations Plan with the Board. After review and discussion, Crofoot moved to adopt Resolution 2021-18 – Promulgation of the Marion County Emergency Operations Plan. Dallke seconded. Motion carried 5-0.

PUBLIC COMMENTS: None.

COMMISSION COMMENTS: None.

Dallke moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 3:39 p.m.

Randy Dallke, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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

August 16, 2021, Continued

**RESOLUTION 2021- 18
PROMULGATION OF MARION COUNTY EMERGENCY OPERATIONS PLAN**

WHEREAS, one of the responsibilities of Kansas counties required by K.S.A. 48-929, is the development and promulgation of a County Emergency Operations Plan (EOP) with the intention of saving lives and protecting property in the event of a major emergency or disaster, and;

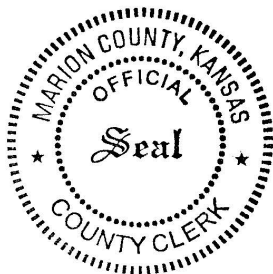
WHEREAS, this planning includes: Mitigation to reduce the probability of occurrence and minimize the effects of unavoidable incidents; Preparedness to respond to emergency/ disaster situations; Response actions during an emergency/disaster; and Recovery operations that will ensure the orderly return to normal or improved levels following an emergency/disaster, and;

WHEREAS, the Marion County Emergency Operations Plan has been developed to establish the policies, guidance and procedures that will provide the elected and appointed officials, administrative personnel, various governmental departments and private and volunteer agencies with the information required to function in a coordinated and integrated fashion and to ensure a timely and organized management of the consequences arising from emergencies/disasters.

THEREFORE, BE IT RESOLVED THAT the Board of County Commissioners endorses this Plan, as approved on June 28, 2021, and direct that all personnel involved assume the roles and responsibilities and take appropriate actions as outlined herein.

Adopted and Proclaimed this 16th day of August, 2021

BOARD OF COUNTY COMMISSIONERS MARION COUNTY,
KANSAS



Randy Daltke
Randy Daltke, Chairman

Kent Becker
Kent Becker, Member

Dave Crofoot
Dave Crofoot, Member

David Mueller
David Mueller, Member

Jonah Gehring
Jonah Gehring, Member

ATTEST:

Tina D. Spencer
Tina D. Spencer, County Clerk