

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

August 23, 2021

Commission met for a work session on the topic of courtroom/courthouse security and American Rescue Plan funding 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 – COURTROOM SECURITY PRESENTATION: Judge Michael Powers (retired), Steve Davis of SD Security, Chris Mercer, and Sheriff Rob Craft were present to discuss and answer questions about a proposal for contracted security services for the courtroom and courthouse.

- Potential projects and funding priorities for American Rescue Plan funds were discussed. Work session adjourned at 12:00 p.m. Regular session was called to order at 12:30 p.m.

PUBLIC COMMENTS: None.

ADMINISTRATIVE: Gehring moved to approve the minutes of August 16th. Mueller seconded and motion carried 5-0.

- Supplements affecting current year valuation were reviewed by the Board. Change orders affecting current and prior years' taxes were reviewed and signed by the Board.
- A thank you letter from Marion County Fire District #3 was received for help provided by the Road & Bridge department on a project to install underground water tanks.
- Gehring moved to approve early checks in the amount of \$36,462.00 (checks #54310-54311). Mueller seconded and motion carried 5-0.
- Pay Application #1 for the heated dock project was presented in the amount of \$80,424.63. Dallke moved to approve the payment. Becker seconded and motion carried 5-0.
- An Interim Report for American Rescue Plan (ARP) funding was presented for Board approval. No spending or obligations were recorded in any category during the reporting period. Gehring moved to approve the zero report. Mueller seconded and motion carried 5-0. Mueller moved that the County perform the lost revenue calculation allowed under the ARP. Becker seconded and motion carried 5-0.
- It was noted that the City of Hillsboro transferred the property for the new Marion County EMS Station build site. No formal closing took place. Jantz recommended that the County purchase title insurance on the property. Becker moved to purchase title insurance. Crofoot seconded and motion carried 5-0. Jantz was instructed to contact the title company.
- Jantz was directed to contact the City of Marion regarding the possibility of designating the parking spaces on the west, north, and east sides of the courthouse as Courthouse Parking Only during business hours.
- Mueller moved to adopt Resolution 2021-19, establishing a County Landbank and providing for the administration thereof. Gehring seconded and motion carried 5-0.

COURTROOM/COURTHOUSE SECURITY: Muller moved to accept the proposal from SD Security for courtroom security with flexibility to use for courthouse when not needed in district court, effective October 1, 2021 (15-month term) with updates provided on a quarterly basis. Becker seconded and motion carried 5-0 (to be paid from the General fund).

HEALTH DEPARTMENT: Admin. Diedre Serene provided a COVID-19 update indicating 25 active cases and zero hospitalizations. Vaccine information was also provided.

- Flu shots were discussed. Gehring moved that the County pay for flu shots for employees without health insurance (same procedure as last year). Becker seconded and motion failed 2-3 with Dallke, Crofoot, and Mueller opposed. Mueller moved for the County to pay for flu shots for employees and immediate family members not covered by health insurance. Crofoot seconded and motion carried 3-2 with Becker and Gehring opposed.
- Serene requested an executive session to discuss personnel/performance for 15 minutes. Dallke moved to recess into executive session pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Jantz, Spencer and Serene present until 1:59 p.m. Crofoot seconded and motion carried 5-0. Open session resumed with no action.

CO. TREASURER: Co. Treasurer Jeannine Bateman was present for a department update. A new system has been deployed for title work, involving a national database.

PERSONNEL: Chr. Dallke announced that earlier in the session Health Dept. Admin Diedre Serene has tendered a letter of resignation, effective at the end of the day on September 20th. Dallke moved to accept Serene's resignation. Crofoot seconded and motion carried 5-0. The Board expressed thanks for Serene's years of service with the County.

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REGISTER OF DEEDS: Register of Deeds Rebecca Wingfield was present for a quarterly update. No major changes or issues were reported.

GRANITE GOVERNMENT SOLUTIONS: Al Alfieri discussed a government wholesale program for phone and internet services. The Board took no action.

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 on matters deemed privileged under attorney/client privilege with the Board, Jantz, and Spencer present for five minutes until 2:30 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.

- Other ongoing open items were discussed. Jantz noted that he will have landbank by-laws for the Board to review next week, as well as a tax sale policy, and the agreement for security services.

Dallke moved to hold a special meeting on August 30th at 12:30 p.m. Becker seconded and motion carried 5-0. After discussion, Gehring moved to remove the special meeting on August 30th. Mueller seconded and motion carried 5-0. A limited amount of regular business including Co. Counselor business will be handled during the payday meeting on August 31st at 9:00 a.m.

PUBLIC COMMENTS: None.

COMMISSION COMMENTS: None.

Gehring moved to adjourn. Crofoot seconded and motion carried 5-0. Meeting adjourned at 2:58 p.m.

Randy Dallke, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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Published in the MARION COUNTY RECORD, September 1, 2021

RESOLUTION NO. 2021-19

A RESOLUTION ESTABLISHING A COUNTY LAND BANK PURSUANT TO K.S.A. 19-26,104, *et seq.* AND PROVIDING FOR THE ADMINISTRATION THEREOF.

WHEREAS, the Marion County Commission recognizes the need to return tax delinquent property to productive use, thus benefiting the community, supporting home ownership, improving neighborhoods, and advancing the economic and social interests of Marion County residents;

WHEREAS, the formation of a land bank pursuant to K.S.A. 19-26,104, *et seq.* will provide tools to accomplish those objectives and reduce blight within the borders of Marion County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS:

Section 1. Marion County, Kansas (herein after "County"), by the power vested in it by K.S.A. 19-26,104 *et seq.*, hereby establishes a county land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within Marion County, Kansas. The land bank will be guided in its affairs by a board of trustees.

Section 2. The land bank board of trustees shall consist of a five (5) member board comprised of the County Commission of Marion County, Kansas.

Section 3. The land bank staff shall consist of the Marion County Clerk and administrative staff of Marion County, Kansas.

Section 4. CASH BASIS: The land bank shall be subject to the provisions of the cash-basis law, as provided in K.S.A. 10-1101, *et seq.*, and amendments thereto.

Section 5. BUDGET: The budget of the land bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed, and approved by the Board of County Commissioners of Marion County, Kansas.

Section 6. PROPERTY ACQUISITION: For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board's best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the land bank's activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

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Section 7. PROPERTY AVAILABLE FOR INCLUSION: Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the County of Marion pursuant to K.S.A. 79-2803-2804, *et seq.* and requested by the land bank board of trustees pursuant to its authority under K.S.A. 19-26,104, *et seq.* (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of Marion County, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

Section 8. INCENTIVES: The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property.

Section 9. CONSULTATION AND RECOMMENDATIONS: The land bank staff may consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

Section 10. PROPOSALS: Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

Section 11. OPERATING FUNDS: The Board of County Commissioners of Marion County, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank.

Section 12. ANNUAL REPORT: The land bank is required to make an annual report to the Board of County Commissioners of Marion County, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 13. MONIES DERIVED FROM ACTIVITY: Any money derived from the sale of property by the land bank shall be retained by the land bank. Funds shall be deposited with the Marion County Treasurer in accordance with established County policies and procedures and subject to K.S.A. 9-1401, amendments thereto. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 14. COMPENSATION: Members of the board of trustees shall receive no compensation but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 15. STATUTORY AUTHORITY: The provisions of this resolution shall at all times be consistent with K.S.A. 19-26,104 *et seq.*, and amendments thereto.

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Section 16. EFFECTIVE DATE: This resolution shall take effect and be in force from and after its publication once in the official newspaper of the County of Marion, Kansas.

Passed and approved by the Board of County Commissioners of Marion County, Kansas this 23 day of August, 2021.

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

Randy Dalke
Randy Dalke, Chairman – District 3

☒ Yea
☐ Nay
☐ Abstain

Kent Becker
Kent Becker, Member – District 1

☒ Yea
☐ Nay
☐ Abstain

David Mueller
David Mueller, Member – District 2

☒ Yea
☐ Nay
☐ Abstain

Dave Crofoot
Dave Crofoot, Member – District 4

☒ Yea
☐ Nay
☐ Abstain

Jonah Gehring
Jonah Gehring, Member – District 5

☒ Yea
☐ Nay
☐ Abstain



ATTEST:

Tina D. Spencer
Tina D. Spencer, County Clerk

