

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

October 29, 2021

Commission met for payday and other business at 9:00 a.m. in Commission chambers at the Marion County Courthouse with Vice Chr. Dave Crofoot, Comm. Jonah Gehring, and Comm. David Mueller present. Comm. Kent Becker attended via teleconference. Chr. Randy Dallke joined at approximately 9:05 a.m. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Deputy Co. Clerk Ashley Herpich, Co. Counselor Brad Jantz, County staff, members of the public and members of the press.

SALES TAX: Sales tax for the month of August, 2021 was received in the amount of \$81,127.73.

PAYDAY: A detailed list of expenditures by fund was reviewed. Crofoot moved to approve payments to Elcon Electric in the amount of \$543.98. Mueller seconded and motion carried 4-0 with Gehring abstaining due to conflict of interest (abstention counted with majority prevailing).

- Gehring moved to approve payments to Western Associates in the amount of \$1,709.19. Mueller seconded and motion carried 4-0 with Crofoot abstaining due to conflict of interest (abstention counted with majority prevailing).
- Chr. Dallke joined the session. Gehring moved to approve the grand total payday in the amount of \$1,433,278.45. Mueller seconded and motion carried 5-0.
- The monthly comp time report was reviewed.
- Dallke moved to approve the minutes of October 25th and 27th. Dallke amended his motion to approve the minutes of October 25th only. Gehring seconded and motion carried 5-0.
- Gehring moved to approve the minutes of October 27th. Mueller seconded and motion carried 5-0 with Becker abstaining due to absence (abstention counted with majority prevailing).
- **Health Dept. Grant Approval:** a COVID-19 IAP Supplemental 4 – Vaccine Equity grant award in the amount of \$110,000.00 was presented for Commission acceptance. Gehring moved to accept and authorize the Chairman to sign. Mueller seconded and motion carried 5-0.
- A memo directing County departments to inventory and clean out items in the Courthouse attic was approved.
- Area fuel bids were reviewed:

	Area 1 1,400 gals.	Area 2 1,950 gals.	Area 3 1,950 gals.
Epp's Service, Elbing	2.6150 = \$3,661.00	2.7550 = \$5,372.25	2.6150 = \$5,099.25
MFA Oil, Lincolnville	2.8334 = \$3,966.76	2.8034 = \$5,466.63	2.8334 = \$5,525.13

Gehring moved to accept the bid from Epp's Service for all areas (totaling \$14,132.50). Mueller seconded and motion carried 5-0.

TAX SALE DISCUSSION: Attorney Susan Robson joined the session to discuss the County's most recent tax sale, which has been completed. Robson said no new sales have been started, but she recommended that the Board start one soon. Robson recommended holding a sale each year and limiting the number of properties to approximately 40. The consensus of the Board was to draft an RFP for a tax sale attorney by the end of November (or early December) with responses due by January 7th. Co. Counselor Brad Jantz joined the session.

HEALTH DEPARTMENT PERSONNEL DISCUSSION: Dallke moved to recess into executive session to discuss personnel/hiring pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel for 15 minutes with the Board, Jantz, and Spencer present (from 9:40 a.m. until 9:55 a.m.). Gehring seconded and motion carried 5-0. Open session resumed with no action.

ATTORNEY/CLIENT BUSINESS: Dallke moved to recess into executive session to discuss matters of litigation pursuant to K.S.A. 79-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Jantz, and Spencer present for 15 minutes (until 10:18 a.m.). Gehring seconded and motion carried 5-0. Open session resumed with no action.

Becker left the session, briefly. 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 for 10 minutes with the Board, Spencer, and Jantz present until 10:34 a.m. Gehring seconded and motion carried 4-0. Becker was present in the executive session. Open session resumed with no action.

Dallke moved to adjourn the regular meeting. Gehring seconded and motion carried 5-0. Meeting adjourned at 10:35 a.m. Dallke left the session, and a work-session for County Counselor business ensued.

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October 29, 2021, Continued

CO. COUNSELOR WORK SESSION: Jantz noted that an employee was reimbursed for legal expenses under the County's indemnification policy. The opposing party in the suit will be billed by the County for reimbursement.

Jantz presented several topics for Board comment and direction including:

- Draft tax foreclosure guidelines
- Draft public forum policy
- Draft land bank bylaws
- Courthouse parking
- Road maintenance, tree control, private mowing allowed
- Cattleguard crossings
 - Mueller suggested each situation be reviewed individually. Landowners must own at least two miles on each side of the road.
- Culverts – individuals not to place their own – contact the County
- Bridge policy (when to close vs. repair)
 - Mueller said he heard that KDOT will pay \$50,000.00 toward a bridge if you close another one.
- Speed limit signs

No decisions were made.

Work session adjourned at 11:45 a.m.

Randy Dallke - Chairman

ATTEST: _____
Tina D. Spencer, County Clerk