

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

April 25, 2022

Commission met in regular session at 12:30 p.m. in Commission chambers at the Marion County Courthouse with Chr. David Mueller, Comm. Kent Becker, Comm. Dave Crofoot, Comm. Jonah Gehring, and Comm. Randy Dallke present. Also present was County Clerk Tina Spencer. Present for portions of the session were County staff, members of the public, and members of the press.

PUBLIC FORUM: There were no public comments.

ADMINISTRATIVE: Gehring moved to approve the minutes of April 18th. Becker seconded and motion carried 5-0.

- Salary change sheets were signed for Antone Vinduska from \$2,536.00/mo. to \$2,662.00/mo. – change to Equipment Operator II effective 4/21/2022 and Anastasia LeRoy – change from part-time to full-time 911 Dispatcher with no change in hourly rate effective 4/21/2022.
- Gehring moved to approve Resolution 2022-11(authorizing lease-purchase financing of two used motor graders through Vintage Bank). Dallke seconded and motion carried 5-0.
- **Transient Guest Tax request:** The Bent Rims Motorcycle Club submitted a written request for \$1,000.00 in Transient Guest Tax funds to support their Florence Grand Prix event. Gehring moved to approve the \$1,000.00 request for Bent Rims. Crofoot seconded and motion carried 5-0.
- Spencer requested an executive session to discuss personnel/hiring. Mueller 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 with the Board and Spencer present from 12:45 p.m. until 12:50 p.m. Dallke seconded and motion carried 5-0. Open session resumed with no action.
- Mueller 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 and Spencer present for 15 minutes (until 1:05 p.m.). Becker seconded and motion carried 5-0. Open session resumed with no action.

ANNEX BUILDING REMODEL BID AWARD: EMS Director Travis Parmley and Planning/Zoning/Environmental Health Dir. Sharon Omstead joined the session. After reviewing the bids opened on April 18th, staff recommendation was to accept the low bids for electrical, carpentry sections 2.1, 2.2, and 2.4, for the painting to be done by County staff. The preference was also to accept the low bid for carpet. After discussion, Dallke moved to approve as recommended, adding the low bid for the exterior window replacement and carpet for a total project cost not to exceed \$21,000.00. Gehring seconded and motion carried 5-0. The successful bidders for each area are:

Electrical	Funk Electric	\$2,789.79
Carpentry items 2.1 and 2.2	Hett Carpentry	\$3,700.00
Carpentry items 2.3 and 2.4	NF Construction	\$5,568.00
Carpet	the County Seat	\$7,736.00

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead requested the addition of a new full-time Planning & Zoning Specialist to assist with field work and other tasks. Dallke requested an executive session to discuss personnel/performance. Mueller 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, Omstead and Spencer present for 10 minutes until 1:35 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.

- Mueller moved to establish a new Planning/Zoning/Environmental Health Specialist (with an emphasis on field work). Gehring seconded and motion carried 4-1 with Dallke opposed.

ROAD & BRIDGE: Co. Engineer Brice Goebel presented transport fuel bids for review:

	Tank #3 4,000 gals.	Tank #1 1,500 gals.	Unleaded 2,500 gals.	Total
Epp's Service, Elbing	4.2740	4.0190	3.3032	\$31,382.50
MFA Oil, Lincolnville	4.3407	4.0863	3.6739	\$32,677.00

Gehring moved to accept the bid from Epp's Service in the amount of \$31,382.50. Mueller seconded and motion carried 5-0.

Area fuel bids were reviewed:	Area 1 1,400 gals.	Area 2 1,950 gals.	Area 3 1,950 gals.
Epp's Service, Elbing	4.1990 = \$5,878.60	4.2890 = \$8,363.55	4.2090 = \$8,207.55
MFA Oil, Lincolnville	4.3000 = \$6,020.00	4.2500 = \$8,287.50	4.3000 = \$8,385.00

Gehring moved to accept the bid from Epps for Areas one and three, and the bid from MFA for area two. Becker seconded and motion carried 5-0.

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April 25, 2022, Continued

ROAD & BRIDGE, CONTINUED: Potential road projects to be funded at least partially by a bond were reviewed and discussed. Goebel's recommendation was to utilize bond funding to assist with the following projects:

Kanza from US-56 to fertilizer plant	(estimated total project = \$2,200,000.00)
290 th from K-15 to US-56/77	(estimated total project = \$7,250,000.00)
190 th from K-256 to US-56 (minus Hillsboro)	(estimated total project = \$ 825,000.00)
Indigo from Harvey County line to Hillsboro	(estimated total project = \$3,105,000.00)

Discussion ensued regarding the projects proposed. The Board agreed that additional base work should be done on Indigo as needed, which could raise the proposed project cost.

Mueller moved to submit Kanza from US-56 to fertilizer plant, 290th from K-15 to US-56/77, 190th from K-256 to US-56, and Indigo from the Harvey County line to Hillsboro for (at least partial) funding via bond proceeds per the Co. Engineer's recommendation. Gehring seconded and motion carried 5-0.

- Mueller will assist Goebel with an economic development grant application for 290th per KDOT's advice.
- Upcoming and ongoing projects and department activities were discussed with no action.
- Goebel requested that a full-time Technician position be added to the department, and provided a proposed job description for review. No action was taken.
- Potential locations to build a new R&B shop were discussed with no action.

STORAGE BUILDING: After discussion, Mueller moved to proceed with investigating the storage of trailers / vehicles / documents south of the jail on County-owned property with Comm. Dallke leading the process. Dallke seconded and motion carried 5-0. Dallke indicated that he plans to seek a quote from NF Construction for proposed maximum price. The Board agreed.

PUBLIC FORUM: There were no public comments.

COMMISSION COMMENTS: Gehring noted that the Sheriff has been doing a good job.

DEPARTMENT HEAD EVALUATIONS: Mueller moved to recess into executive session to discuss personnel/performance (for preparation of department head evaluations) pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with only the Board present for one and one-half hours (after a five-minute break) until 4:35 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

Gehring moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 4:35 p.m.

David Mueller, Chairman

ATTEST:

Tina D. Spencer, County Clerk

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

April 25, 2022, Continued

**RESOLUTION 2022 - 11
A RESOLUTION AUTHORIZING LEASE-PURCHASE FINANCING**

WHEREAS, at a duly called meeting of the governing body of Marion County held on April 25, 2022, the following resolution was introduced and adopted:

WHEREAS, the governing body of Lessee has determined that a true and very real need exists for the acquisition of two (2) used Caterpillar 12M3AWX Motor Graders (the "Equipment"), the Lessee desires to finance the Equipment by entering into an Equipment Lease Purchase Agreement with Vintage Bank as Lessor and Marion County as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from Vintage Bank dated April 6, 2022 presented at the Board meeting; and the Equipment will be used by the Lessee for the purpose of general street and road maintenance.

WHEREAS, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment,

WHEREAS, the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose,

NOW THEREFORE BE IT RESOLVED, that the terms of said Agreement are in the best interests of Lessee for the acquisition of such Equipment and the governing body of Lessee designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement: David Mueller, County Commission Chairman, attested by County Clerk Tina D. Spencer.

BE IT FURTHER RESOLVED, that the Lessee covenants that it will perform all acts within its power which are or may be necessary to ensure that the interest portion of the Rental Payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended.

The Lessee hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars (\$10,000,000.00) of tax-exempt obligations during the calendar year, and hereby designates the Agreement as a "qualified tax-exempt obligation", as defined by Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

This resolution is hereby adopted, and remains in full force and effect on this 25th day of April, 2022.

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

David Mueller
David Mueller, Chairman - District 2

☒ Yea
☐ Nay
☐ Abstain

Kent Becker
Kent Becker, Member - District 1

☒ Yea
☐ Nay
☐ Abstain

Randy Dallke
Randy Dallke, Member - District 3

☒ 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

