

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

September 12, 2022

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

2023 REVENUE NEUTRAL RATE (RNR) HEARING: Chr. Mueller opened the RNR hearing. Scot Loyd of the Loyd Group was present for questions. There were no members of the public present. Chr. Mueller moved to adopt Resolution 2022-23 to levy a property tax rate exceeding the revenue neutral rate. Dallke seconded and a roll call vote ensued: Dallke – yes; Crofoot – yes; Becker – yes; Mueller – yes. Motion carried 4-0.

- Chr. Mueller closed the RNR hearing.

2023 BUDGET HEARING: Chr. Mueller opened the 2023 budget hearing. No members of the public were present. Mueller moved to approve the 2023 budget. Becker seconded and a roll call vote ensued: Dallke – yes; Crofoot – yes; Becker – yes; Mueller – yes. Motion carried 4-0.

- Mueller moved to approve the requested budget allocation for the 8th Judicial District. Dallke seconded. Motion carried 4-0.
- Chr. Mueller closed the budget hearing and called the regular meeting to order.

PUBLIC FORUM: There were no public comments.

ADMINISTRATIVE: Dallke moved to approve the minutes of September 6th. Becker seconded and motion carried 4-0.

- Early checks totaling \$8,569.28 were presented for approval. Becker moved to approve early checks. Dallke seconded and motion carried 4-0 (Checks #52303-52304).
- Spencer reported that the payroll amount on payday was overstated by \$578.29 due to a KPERS credit. Dallke moved to approve a revised payday grand total in the amount of \$1,129,574.22. Becker seconded and motion carried 4-0.
- Mueller moved to appoint Susan Berg and Jan Helmer as witnesses to ballot destruction for the 2020 General Election pursuant to K.S.A. 25-2708. Crofoot seconded and motion carried 4-0.
- A salary sheet for new Special Bridge Equipment Operator I, Jarret McLinden, was signed at \$2,536.00/mo. effective 9/6/2022.
- The Board agreed to seek proposals for the County audit.
- 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, Jantz, and Spencer present for five minutes from 1:03 p.m. until 1:08 p.m. Becker seconded and motion carried 4-0. Open session resumed with no action.

HEALTH DEPARTMENT: Dir. Krista Schneider presented a quarterly update and discussed upcoming flu clinics and other department activities.

- Schneider presented information regarding wellness programs in work places and requested permission to form an Occupational Wellness Committee for Marion County employees. After discussion, Crofoot moved to proceed with the formation of an Occupational Wellness Committee in the format presented. Mueller seconded and motion carried 4-0. This group will bring ideas for a potential program back to the Board for official approval.
- Schneider presented preliminary estimates for renovation of the building at 1240 Commercial in the amount of \$693,700. A general estimate to demolish and rebuild a new building was \$825,000. Grants and programs to assist with project costs were discussed with no action.

PERSONNEL DISCUSSION: Mueller moved to recess into executive session pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with only the Board present for five minutes from 1:53 p.m. until 1:58 p.m. Dallke seconded and motion carried 4-0. Open session resumed with no action.

- Becker moved that the County Clerk's salary be adjusted to step 8 in the pay plan effective with the October pay period due to increased responsibilities. Dallke seconded and motion carried 4-0.

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead joined the session. Also present were Byron Lange, Matt Meyerhoff, Judy Dyer, and Elise Harper.

- Continued case PC22-04 regarding the petition and request to vacate a portion of Eastshore Road East of Schlotthauer was discussed. After discussion, Muller moved to adopt Resolution 2022-24, ordering the vacation of said portion of Eastshore Road with conditions. Crofoot seconded and motion carried 4-0.

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

September 12, 2022, Continued

PLANNING/ZONING/ENVIRONMENTAL HEALTH, CONTINUED: Case PC22-05 regarding a conditional use permit application for a short-term-rental property at 58 and 59 Lakeshore, Marion was presented to the Board. A protest petition was filed by neighboring property owner Linda Judd, but was insufficient according to state law. After discussion, Mueller moved to adopt Resolution 2022-25, Granting a Conditional Use Permit to Establish a Short-Term Rental Property at 58 and 59 Lakeshore, Marion, Kansas subject to conditions and with the denial of camper occupancy. Dallke seconded and motion carried 4-0.

- Case PC2022-06 regarding a conditional use permit application for a short-term rental property at 6 Jerome, Marion was presented to the Board. After discussion, Mueller moved to adopt Resolution 2022-26 Granting a Conditional Use Permit to Establish a Part-Time Short-Term Rental Property at 6 Jerome, Marion, Kansas subject to conditions. Becker seconded and motion carried 4-0.
- A Sunflower Wind Construction Status Summary from Orsted was provided to the Board.

SHERIFF: Sheriff Jeff Soye presented a quarterly briefing to the Board. Personnel, vehicles, and mental health services and expenses were the main topics discussed. The Board favored scheduling a special meeting with legislators and Prairie View to discuss funding vs. services provided.

- 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, Soye, Jantz, and Spencer present for 10 minutes until 3:05 p.m. Becker seconded and motion carried 4-0. Open session resumed with no action.
- Soye noted that the jail will likely be over budget due to increased population and medical expenses for inmates.

ROAD & BRIDGE: Co. Engineer Brice Goebel was absent. Spencer presented rock hauling bids on his behalf. All bids were split into 12 sections of the County with a total tonnage of 56,300:

| | |
|-----------|--------------|
| JL Unruh | \$331,175.00 |
| Robinson | \$413,024.00 |
| Mid-State | \$529,486.90 |

Mueller moved to award the bid for all 12 areas to JL Unruh. Becker seconded and motion carried 4-0.

- A road crossing permit to install two culverts for a circle drive at 58 Lakeshore Drive was reviewed. Mueller moved to approve permit 22-5 for installation of culverts at 58 Lakeshore Drive. Crofoot seconded and motion carried 4-0.
- Transport fuel bids were reviewed:

| | Tank #3 3,500 gals. | Tank #1 1,500 gals. | Unleaded 3,000 gals. | Total |
|-----------------------|------------------------|------------------------|-------------------------|-------------|
| MFA Oil, Lincolnville | 4.1163 | 3.8613 | 2.8319 | \$28,694.70 |
| Epp's Service, Elbing | 4.1475 | 3.8725 | 2.9996 | \$29,353.80 |

Becker moved to award to MFA Oil in the amount of \$28,694.70. Dallke seconded and motion carried 4-0.

CO. ATTORNEY: Co. Attorney Joel Ensey and Legal Assistant II Karen Selznick discussed ongoing space concerns and noted that it would be preferable for them to remain in the courthouse, but to be moved to a larger space. Alternately, the annex building would be preferable above the former Planning/Zoning building due to hauling documents and other items to court. No action was taken by the Board.

- The consensus of the Board was to allow Ensey to sign the contract for the new prosecutor software previously approved by the Board. Ensey noted that the funding structure has changed somewhat in regard to the timing for payments to be submitted. The cost did not change.

CO. COUNSELOR: Mueller moved to recess into executive session to discuss potential litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney on matters deemed privileged under attorney/client privilege with the Board and Jantz present for 15 minutes from 3:37 p.m. until 3:52 p.m. Becker seconded and motion carried 4-0. Open session resumed with no action.

COMMISSION COMMENTS: Dallke reiterated space needs and noted that in the past a building next to the Courthouse was discussed.

Mueller moved to adjourn. Crofoot seconded and motion carried 4-0. Meeting adjourned at 3:58 p.m.

David Mueller, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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

September 12, 2022, Continued

Resolution No. 2022-23

A RESOLUTION OF THE COUNTY OF MARION, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the County of Marion was calculated as 71.266 mills by the Marion County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the County of Marion will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on September 12, 2022 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Governing Body of the County of Marion, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF MARION: The County of Marion shall levy a property tax rate exceeding the Revenue Neutral Rate of 71.266 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 12th day of September 2022 and **SIGNED** by the Governing Body.

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



David Mueller, Chairman – District 2

☒ Yea
☐ Nay
☐ Abstain



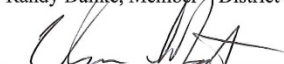
Kent Becker, Member – District 1

☒ Yea
☐ Nay
☐ Abstain



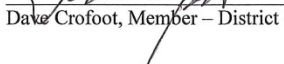
Randy Dallke, Member – District 3

☒ Yea
☐ Nay
☐ Abstain



Dave Crofoot, Member – District 4

☒ Yea
☐ Nay
☐ Abstain



Jonah Gehring, Member – District 5

☐ Yea
☐ Nay
☐ Abstain



ATTEST:



Tina D. Spencer, County Clerk

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

September 12, 2022, Continued

RESOLUTION NO. 2022-24

A RESOLUTION ON THE PETITION AND REQUEST TO VACATE A PORTION OF EASTSHORE ROAD (213TH) EAST OF SCHLOTTHAUER, BEING THE 20-FOOT SECTION SOUTH OF LOT 11, BLOCK H AND THE 20-FOOT SECTION NORTH OF LOT 1, BLOCK I, OF THE EASTSHORE PLAT, MARION COUNTY, KANSAS.

WHEREAS, the Board of Commission of Marion County, Kansas, having heard testimony and having reviewed all documentation, finds that legal notice has been given by publication as required by law, pursuant to K.S.A. 58-2613 et seq; and

WHEREAS, a public hearing was held at which time concerned persons had the opportunity to speak on this issue; and

WHEREAS, the public will suffer no loss or inconvenience as a result of the action, and in consideration of the request that has been made, an order should be granted;

THEREFORE, it is ordered by the governing body of Marion County, Kansas, that the following described roadway be vacated, to wit:

All of the right-of-way for that portion of Eastshore Road (213th) east of Schlotthauer, being the 20-foot section south of Lot 11, Block H and the 20-foot section north of Lot 1, Block I, of the Eastshore Plat, Marion County, Kansas. Furthermore, a general utility easement with all necessary access therefore will be reserved by this vacation and maintained on both sides of the centerline of the remaining portion of road between Block H and Block I (totaling 50 feet along the center-line dividing line of the contiguous properties) including all rights of ingress and egress for all purposes necessary to maintain the easement and anything placed thereon. All building setbacks, as outlined in the Marion County Zoning Regulations, shall be maintained.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARION, KANSAS, on this 12th day of September, 2022.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS

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

September 12, 2022, Continued

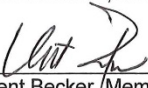
RESOLUTION 2022-24 SIGNATURE PAGE

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



David Mueller, Chairman – District 2

☒ Yea
☐ Nay
☐ Abstain




Kent Becker, Member – District 1

☒ Yea
☐ Nay
☐ Abstain



Randy Dalke, Member – District 3

☒ Yea
☐ Nay
☐ Abstain



Dave Crofoot, Member – District 4

☒ Yea
☐ Nay
☐ Abstain

Jonah Gehring, Member – District 5

☐ Yea
☐ Nay
☐ Abstain



ATTEST:



Tina D. Spencer, County Clerk

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

September 12, 2022, Continued

RESOLUTION NUMBER 2022-25

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH A SHORT-TERM RENTAL PROEPRTY AT 58 & 59 LAKESHORE, MARION, KANSAS.

WHEREAS, application has been made by Matthew Meyerhoff on behalf of Melissa Ryan, owner, requesting a Conditional Use Permit to establish a short-term rental on property zoned "LL" Marion County Lake Lot Residential District, in the Northwest Quarter of the Southwest Quarter of Section 10, Township 20 South, Range 4 East, Marion County, Kansas; and,

WHEREAS, following proper notification in the official County newspaper of a public hearing, on July 6, 2022, the Marion County Planning Commission held a public hearing on Case No. PC-22-05 on August 4, 2022, and concluded August 25, 2022 to consider the above said proposed conditional use, and;

WHEREAS, the Marion County Planning Commission has recommended approval in part and denial in part of application PC-22-05. The portion pertaining to the use of camper occupancy is recommended for denial. The remainder of the request for the establishment of a short-term rental property within the unincorporated portion of Marion County, Kansas, is recommended for approval and subject to certain conditions; and,

WHEREAS, the Board of County Commissioners of Marion County, Kansas, having reviewed the record of such hearing and the recommendation of the Marion County Planning Commission and determining the protest time has expired for such case declares it has proper jurisdiction to act upon said recommendation.

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

1. The following described property is hereby granted a Conditional Use Permit to establish a short-term rental property, subject to the conditions and restrictions listed herein:

LAKESIDE (COUNTY LAKE), LOT S/2 LOT 22 & ALL LOT 23, AND 24 & N 15' LOT 25, LAKESIDE ADDN
2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:
 1. The CUP be reviewed every year for compliance and the property maintain an annual registration with the county. It is also recommended that the property be subject to the Board approved conditions outlined below. These conditions of approval are subject to change. CUP holders will be notified prior to annual registration when conditions have changed, to allow a reasonable time for them to comply.
 - A. The maximum number of transient guests occupying a short-term rental unit shall not exceed eight (8) persons.
 - B. The unit shall be located within the principal residential dwelling unit on the property and may not be located within an accessory building, unless the principal residential dwelling unit is owner-occupied.
 - C. The unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
 - D. No food service may be provided by the host.
 - E. The county-issued zoning certificate and/or certificate of occupancy for such dwelling unit shall be on display in the interior of the unit. The zoning certificate and/or certificate of occupancy for a short-term rental use is valid for only the original Operator and dwelling(s) listed on the zoning certificate and/or certificate of occupancy and must not be transferable to any future Operator or other property. Changes to the information pertaining to the operator or dwelling(s) listed on the zoning certificate and/or certificate of occupancy will require the issuance of a new zoning certificate and/or certificate of occupancy.
 - F. No exterior evidence that the property is being used as a short-term rental shall be allowed, including signs indicating the dwelling is used as a short-term rental.
 - G. The short-term rental host shall monitor any complaints received from guests, local residents, or others regarding any nuisance activity or sanitary, health, or life safety conditions observed on the property. Said complaints made to either the short-term rental host, or their intermediary platform, shall be made available to the county upon request.
 - H. The zoning certificate and/or certificate of occupancy for a short-term rental may be denied, or once issued, suspended or revoked when, in the determination of the County Zoning Administrator, the rental of the short-term rental property is ineligible under, or fails to comply with, these provisions of the Conditional Use Permit.

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

September 12, 2022, Continued

- I. Comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits.
- J. Post, within each unit, contact information for the owner, host, and/or other local emergency contact information.
- K. The owner shall install and maintain the following safety requirements:
 - a) An operational smoke detector in each bedroom and floor of the unit;
 - b) Each floor must have at least one operational fire extinguisher that is clearly marked and accessible to guests;
 - c) Each floor must have at least one operational carbon monoxide detector;
 - d) All receptacles serving countertop areas and any receptacle within 6 feet of a water source, such as bathrooms, kitchens, laundry, utility, and wet bar sinks, and pool/spa areas accessible to guests, must have ground-fault circuit interrupter (GFCI) protection.
 - e) All rooms used for sleeping must have at least two means of egress;
 - f) A working battery powered portable flashlight, or lantern, or other emergency lighting device that is workable during an electrical power outage;
 - g) A fire safety plan and emergency contact information, including the contact information for the Operator or Manager, local law enforcement, and fire and rescue, must be posted in a visible location.
- L. The owner shall allow the inspection of the short-term rental dwelling unit by the County for compliance with the Conditional Use Permit upon a 10-day prior notice (which may be oral or electronic), or upon the first vacancy of said short-term rental dwelling unit; and further agree that if the host for any reason does not allow requested County inspection of such unit, the short-term rental permit for such unit may be suspended by the County Zoning Administrator until such inspection is allowed by the host.
- M. Provide evidence to the County Zoning Administrator that there is at least \$300,000 of liability insurance for the proposed short-term rental dwelling unit in question. Said insurance may be provided by a short-term rental intermediary; provided that no short-term rental intermediary shall have any obligation or liability to the county with respect to whether such insurance is so provided. Proof of insurance shall be provided at the time of application and with annual registration.

3. This resolution shall be in full force and effect from and after publication in the official county newspaper.

BE IT FURTHER RESOLVED, that it is hereby directed that the Marion County Zoning District Maps be amended to reflect above said conditional use.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Marion County, Kansas on this 12th day of September, 2022.



ATTEST:

Tina D. Spencer, County Clerk

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS

David Mueller ☒ Yea
☐ Nay
☐ Abstain
 David Mueller, Chairman – District 2

Kent Becker ☒ Yea
☐ Nay
☐ Abstain
 Kent Becker, Member – District 1

Randy Dalko ☒ Yea
☐ Nay
☐ Abstain
 Randy Dalko, Member – District 3

Dave Crofoot ☐ Yea
☐ Nay
☐ Abstain
 Dave Crofoot, Member – District 4

Jonah Gehring ☐ Yea
☐ Nay
☐ Abstain
 Jonah Gehring, Member – District 5

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

September 12, 2022, Continued

RESOLUTION NUMBER 2022-26

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH A PART-TIME
SHORT-TERM RENTAL PROEPRTY AT 6 JEROME, MARION, KANSAS.**

WHEREAS, application has been made by Elise Harper on behalf of Judy Dyer, owner, requesting a Conditional Use Permit to establish a part-time, short-term rental on property zoned "LL" Marion County Lake Lot Residential District, in the Southwest Quarter of the Northwest Quarter of Section 10, Township 20 South, Range 4 East, Marion County, Kansas; and,

WHEREAS, following proper notification in the official County newspaper of a public hearing, on August 3, 2022, the Marion County Planning Commission held a public hearing on Case No. PC-22-06 on August 25, 2022 to consider the above said proposed conditional use, and;

WHEREAS, the Marion County Planning Commission has recommended approval of a conditional use permit for establishment of a part-time, short-term rental property within the unincorporated portion of Marion County, Kansas, subject to certain conditions; and,

WHEREAS, the Board of County Commissioners of Marion County, Kansas, having reviewed the record of such hearing and the recommendation of the Marion County Planning Commission and determining the protest time has expired for such case declares it has proper jurisdiction to act upon said recommendation.

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

1. The following described property is hereby granted a Conditional Use Permit to establish a short-term rental property, subject to the conditions and restrictions listed herein:

LAKESIDE (COUNTY LAKE), S 25' LOT 14 & LOT 15 LESS S 6'

2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:
 1. The CUP be reviewed every year for compliance and the property maintain an annual registration with the county. It is also recommended that the property be subject to the Board approved conditions outlined below. These conditions of approval are subject to change. CUP holders will be notified prior to annual registration when conditions have changed, to allow a reasonable time for them to comply.
 - A. The maximum number of transient guests occupying a short-term rental unit shall not exceed eight (8) persons.
 - B. The unit shall be located within the principal residential dwelling unit on the property and may not be located within an accessory building, unless the principal residential dwelling unit is owner-occupied.
 - C. The unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
 - D. No food service may be provided by the host.
 - E. The county-issued zoning certificate and/or certificate of occupancy for such dwelling unit shall be on display in the interior of the unit. The zoning certificate and/or certificate of occupancy for a short-term rental use is valid for only the original Operator and dwelling(s) listed on the zoning certificate and/or certificate of occupancy and must not be transferable to any future Operator or other property. Changes to the information pertaining to the operator or dwelling(s) listed on the zoning certificate and/or certificate of occupancy will require the issuance of a new zoning certificate and/or certificate of occupancy.
 - F. No exterior evidence that the property is being used as a short-term rental shall be allowed, including signs indicating the dwelling is used as a short-term rental.
 - G. The short-term rental host shall monitor any complaints received from guests, local residents, or others regarding any nuisance activity or sanitary, health, or life safety conditions observed on the property. Said complaints made to either the short-term rental host, or their intermediary platform, shall be made available to the county upon request.
 - H. The zoning certificate and/or certificate of occupancy for a short-term rental may be denied, or once issued, suspended or revoked when, in the determination of the County Zoning Administrator, the rental of the short-term rental property is ineligible under, or fails to comply with, these provisions of the Conditional Use Permit.

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

September 12, 2022, Continued

- I. Comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits.
- J. Post, within each unit, contact information for the owner, host, and/or other local emergency contact information.
- K. The owner shall install and maintain the following safety requirements:
 - a) An operational smoke detector in each bedroom and floor of the unit;
 - b) Each floor must have at least one operational fire extinguisher that is clearly marked and accessible to guests;
 - c) Each floor must have at least one operational carbon monoxide detector;
 - d) All receptacles serving countertop areas and any receptacle within 6 feet of a water source, such as bathrooms, kitchens, laundry, utility, and wet bar sinks, and pool/spa areas accessible to guests, must have ground-fault circuit interrupter (GFCI) protection.
 - e) All rooms used for sleeping must have at least two means of egress;
 - f) A working battery powered portable flashlight, or lantern, or other emergency lighting device that is workable during an electrical power outage;
 - g) A fire safety plan and emergency contact information, including the contact information for the Operator or Manager, local law enforcement, and fire and rescue, must be posted in a visible location.
- L. The owner shall allow the inspection of the short-term rental dwelling unit by the County for compliance with the Conditional Use Permit upon a 10-day prior notice (which may be oral or electronic), or upon the first vacancy of said short-term rental dwelling unit; and further agree that if the host for any reason does not allow requested County inspection of such unit, the short-term rental permit for such unit may be suspended by the County Zoning Administrator until such inspection is allowed by the host.
- M. Provide evidence to the County Zoning Administrator that there is at least \$300,000 of liability insurance for the proposed short-term rental dwelling unit in question. Said insurance may be provided by a short-term rental intermediary; provided that no short-term rental intermediary shall have any obligation or liability to the county with respect to whether such insurance is so provided. Proof of insurance shall be provided at the time of application and with annual registration.

3. This resolution shall be in full force and effect from and after publication in the official county newspaper.

BE IT FURTHER RESOLVED, that it is hereby directed that the Marion County Zoning District Maps be amended to reflect above said conditional use.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Marion County, Kansas on this 12th day of September, 2022.



ATTEST:

Tha D. Spencer, County Clerk

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS

David Mueller ☒ Yea
☐ Nay
☐ Abstain
 David Mueller, Chairman – District 2

Kent Becker ☒ Yea
☐ Nay
☐ Abstain
 Kent Becker, Member – District 1

Randy Dillke ☒ Yea
☐ Nay
☐ Abstain
 Randy Dillke, Member – District 3

Dave Crofoot ☐ Yea
☐ Nay
☐ Abstain
 Dave Crofoot, Member – District 4

Jonah Gehring ☐ Yea
☐ Nay
☐ Abstain
 Jonah Gehring, Member – District 5