

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

October 24, 2022

WORK SESSION: Commission met for a work session at 10:00 a.m. in Commission chambers at the Marion County Courthouse with Chr. David Mueller, Comm. Jonah Gehring, Comm. Kent Becker, Comm. Dave Crofoot, and Comm. Randy Dallke present. Also present were Co. Clerk Tina Spencer, Co. Engineer Brice Goebel, several citizens and township officials, and members of the press. The purpose was to review road concerns previously relayed by letter on September 26th.

Those present who commented were Paul Penner, Dwight M. Flaming, Jim Enns, Charlie Loewen, Nick Kraus, Jess Whiteman, Carol L. Duerksen, Mike Beneke, Van Peters, Linda Peters, Dianne Novak, and Chase Gann. Topics discussed included road maintenance frequency, techniques, and materials, drainage problems, rock quality, need for additional seasonal maintenance to access fields and businesses, problem areas, asset and inventory management, planning, staffing levels, and equipment. Those present encouraged County officials to consider different models and methods to keep up with changing times. Some examples were determining which services can be contracted most efficiently, doing more to attract more qualified equipment operators, considering additional right-of-way procurement to widen some roads, employing a team to focus solely on fixing problem areas and improving roads while others stay focused on regular maintenance, and spending more to purchase higher quality rock.

No decisions were made. Session adjourned at 12:05 p.m.

REGULAR MEETING: Commission met in regular session at 12:30 p.m. in Commission chambers at the Marion County Courthouse with Chr. David Mueller, Comm. Jonah Gehring, Comm. Kent Becker, Comm. Dave Crofoot, and Comm. Randy Dallke 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.

PUBLIC FORUM: Byron Lange thanked everyone involved in the firefighting effort over the weekend and then expressed concerns about a publicized ground-breaking ceremony for a veterans' memorial at the Marion County Park & Lake. Lange noted that he was not aware that the group sponsoring the memorial has not received approval from the Commission to move ahead. None of the Commissioners had information about the specific project being proposed, and no official permission has been granted to begin construction so the group will be contacted and scheduled on the agenda.

ADMINISTRATIVE: The Board announced that there will be no regular Commission meeting on Monday, November 7th.

- Spencer said that she had erroneously written the incorrect resolution numbers on the front of Resolution 2022-27 and Resolution 2022-28 after their approval and requested that the Board re-sign appropriately numbered versions. This was to correct a clerical error only. No content was changed. Gehring moved to ratify and re-sign Resolution 2022-27 and 2022-28. Dallke seconded and motion carried 5-0.
- Dallke moved to hold the Marion County employee Christmas dinner on Saturday, December 3, 2022, at the Lake Hall. Becker seconded and motion carried 5-0.
- Mueller moved to recess into executive session to discuss personnel/performance pursuant to K.S.A. 75-4319b (1) with the Board, Jantz, and Spencer present for five minutes until 12:53 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

PRAIRIE VIEW SERVICE DISCUSSION: Prairie View representatives Marcy Johnson, Patrick Fleming, and Matthew Ankenbrandt joined the session, along with Sheriff Jeff Soyez. Discussion ensued regarding County funding and specific services that are provided as part of the Community Mental Health Center agreement vs. which services are billed and when the County is required to utilize Prairie View vs. another provider.

EMERGENCY MANAGEMENT: Interim Dir. Marcy Hostetler and Sheriff Soyez updated the Board about the fire events over the weekend which required support from multiple departments and aerial support.

- Mueller moved to approve Resolution 2022-29 Declaring a State of Local Disaster Emergency for Marion County, Kansas (for a grass fire on October 13, 2022). Gehring seconded and motion carried 5-0.
- Mueller moved to approve Resolution 2022-30 Declaring a State of Local Disaster Emergency for Marion County, Kansas (for a grass fire on October 23, 2022). Gehring seconded and motion carried 5-0.
- Hostetler presented the Emergency Preparedness Performance Grant (EMPG) Application for approval. Mueller moved to approve the EMPG Grant Application. Becker seconded and motion carried 5-0.
- Mueller moved to recess into executive session to discuss contract negotiation pursuant to K.S.A. 75-4319b (2) to consult with matters deemed privileged under attorney/client privilege with the Board, Jantz, Hostetler and Spencer present for five minutes until 2:13 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

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October 24, 2022, Continued

EMERGENCY MANAGEMENT, CONTINUED: 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, Hostetler, and Spencer present for 10 minutes until 2:25 p.m. Gehring seconded and motion carried 5-0. Open session resumed with a motion by Mueller to hire Marcy Hostetler as the Emergency Management Director. Gehring seconded and motion carried 5-0.

PARK & LAKE: Supt. Isaac Hett reported that several trash companies were contacted to provide a proposal for service at the Park & Lake, but only the City of Florence was willing/able to provide services at this time. A one-year agreement was presented for approval with increased rates. Gehring moved to approve with a one to two-year renewal option with no increase subject to staff review. Becker seconded and motion carried 5-0.

- Hett provided updates regarding completed and upcoming events and projects at the Lake, including dam repairs.
- The Republican Precinct Committee has requested a refund of the Lake Hall rental fee from the most recent convention since it was to fill a vacancy for a County office (Sheriff). Becker moved to refund the \$100.00 rental fee to the Republican Precinct Committee. Crofoot seconded and motion carried 5-0.

ADMINISTRATIVE: Mueller moved to approve the Deputy Emergency Management Director job description in place of the Emergency Preparedness Coordinator position and to begin advertising. Gehring seconded. Motion carried 5-0.

ROAD & BRIDGE: Co. Engineer Brice Goebel reported that Marion County was not awarded any cost share grant funds.

- Upcoming and ongoing department projects and activities were discussed with no action.
- A letter from the Board of Commissioners to KDOT requesting that certain areas of State right-of-way be included in major road projects in the future was presented for review and approval. Mueller moved to approve the letter. Dallke seconded and motion carried 5-0.
- 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, Goebel, Jantz, and Spencer present for five minutes until 2:56 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

PERSONNEL DISCUSSION: Mueller moved to recess into executive session to discuss the EMS (Ambulance Department) Director position/hiring pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Jantz, Spencer, and an applicant for the position for 10 minutes until 3:10 p.m. Gehring seconded and motion carried 5-0. Open session resumed with a motion by Mueller to hire (the applicant) Curt Hasart as EMS Director for Marion County. Becker seconded and motion carried 5-0.

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, Jantz, and Spencer present for 10 minutes until 3:24 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.

- Dallke left the session, briefly. 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 until 3:32 p.m. Gehring seconded and motion carried 4-0. Dallke rejoined during the executive session. Open session resumed with no action.
- Co. Engineer Brice Goebel rejoined the session. Mueller moved to recess into executive session to discuss property acquisition pursuant to K.S.A. 75-4319b (6) for preliminary discussion of acquisition of real estate with the Board, Jantz, Goebel, and Spencer present for 10 minutes until 3:42 p.m. Dallke seconded and motion carried 5-0. Open session resumed with no action.
- The payday meeting for October 31st will begin at 11:00 a.m. instead of 9:00 a.m.

Gehring moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 3:48 p.m.

David Mueller, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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

October 24, 2022, Continued

**DISASTER PROCLAMATION RESOLUTION 2022-29
DECLARING A STATE OF LOCAL DISASTER EMERGENCY FOR MARION COUNTY, KANSAS**

WHEREAS, on this 24 day of October 2022, the Board of Commissioners of Marion County, Kansas, finds that certain conditions caused, or eminently threatened to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion. Critical Red Flag conditions existed in Marion County. The combination of dry grassland, accompanied by low relative humidity, and gusty winds increased the risk of wildland fire spread. Marion County Fire Departments responded to a grass fire located south of 170th by the Marion County Lake on October 13, 2022, in Marion County, Kansas; and

WHEREAS, such conditions created obstructions which endangered health, safety and welfare of persons and property within the border of Marion County, Kansas; and

WHEREAS, under the authority granted pursuant to Marion County Resolution 2019-02, David Mueller, Chairman of the Board of County Commissioners issued a verbal disaster declaration at 1624 hours on October 14, 2022.


NOW, THEREFORE, the Board of Commissioners of Marion County, Kansas does hereby proclaim:

1. That pursuant to K.S.A. 48-932, that a State of Local Disaster Emergency exists within Marion County, Kansas.
2. That the area within the borders of Marion County, Kansas covered by this proclamation is the entire area of Marion County, Kansas.
3. That the Board of County Commissioners shall have all the rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

BE IT FURTHER PROCLAIMED that this disaster emergency declaration shall remain in effect for a period of seven (7) days from the initial verbal declaration, unless terminated earlier or renewed by consent of the Board of County Commissioners of Marion County, Kansas, and that the verbal declaration issued in relation to this event is hereby ratified by the full Board.

So, proclaimed this 24 day of October 2022.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS


David Mueller, Chairman, District 2

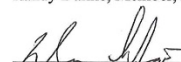
☒ Yea
☐ Nay
☐ Abstain


Kent Becker, Member, District 1


☒ Yea
☐ Nay
☐ Abstain


Randy Dalka, 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**

October 24, 2022, Continued

**DISASTER PROCLAMATION RESOLUTION *2022-30*
DECLARING A STATE OF LOCAL DISASTER EMERGENCY FOR MARION COUNTY, KANSAS**

WHEREAS, on this 24 day of October 2022, the Board of Commissioners of Marion County, Kansas, finds that certain conditions caused, or eminently threatened to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion. Critical Red Flag conditions existed in Marion County. The combination of dry grassland, accompanied by low relative humidity, and gusty winds increased the risk of wildland fire spread. Marion County Fire Departments responded to a grass fire located at K-150 and Clover Road on October 23, 2022, in Marion County, Kansas; and

WHEREAS, such conditions created obstructions which endangered health, safety and welfare of persons and property within the border of Marion County, Kansas; and

WHEREAS, under the authority granted pursuant to Marion County Resolution 2019-02, David Mueller, Chairman of the Board of County Commissioners issued a verbal disaster declaration at 1127 hours on October 23, 2022.

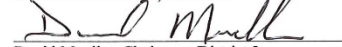
NOW, THEREFORE, the Board of Commissioners of Marion County, Kansas does hereby proclaim:

1. That pursuant to K.S.A. 48-932, that a State of Local Disaster Emergency exists within Marion County, Kansas.
2. That the area within the borders of Marion County, Kansas covered by this proclamation is the entire area of Marion County, Kansas.
3. That the Board of County Commissioners shall have all the rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.


BE IT FURTHER PROCLAIMED that this disaster emergency declaration shall remain in effect for a period of seven (7) days from the initial verbal declaration, unless terminated earlier or renewed by consent of the Board of County Commissioners of Marion County, Kansas, and that the verbal declaration issued in relation to this event is hereby ratified by the full Board.

So, proclaimed this 24 day of October 2022.

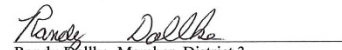
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS


David Mueller, Chairman, District 2

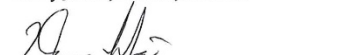
☒ Yea
☐ Nay
☐ Abstain


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