

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

October 31, 2022

Commission met for payday and other business at 11:00 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 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:** A letter from Max Hayen was provided to the Board in packets and suggested the combination of political townships for road maintenance purposes.

**SALES TAX:** Sales tax for the month of August was received in the amount of \$74,722.87.

**PAYDAY:** A detailed list of expenditures by fund was reviewed. The monthly comp time report was reviewed. Gehring moved to approve payment to Western Associates in the amount of \$65.09. Dallke seconded and motion carried 5-0 with Crofoot abstaining due to conflict of interest (abstention counted with majority prevailing). Dallke moved to approve the grand total payday in the amount of \$2,184,103.08 (including payroll at \$578,489.60). Crofoot seconded and motion carried 5-0 (checks #52560-52826; voided check #52593).

**ADMINISTRATIVE:** Gehring moved to approve the minutes of October 11<sup>th</sup>. Becker seconded and motion carried 5-0.

- Dallke moved to adopt Resolution 2022-31 Declaring Certain Delinquent Personal Property Taxes To Be Dormant and Uncollectible Pursuant to K.S.A. 79-2101. Mueller seconded and motion carried 5-0.
- Mueller moved to adopt Resolution 2022-32 Appointing Marcy Hostetler as Emergency Management Director for Marion County, Kansas. Becker seconded and motion carried 5-0.
- Lease Purchase bids for the 2022 Ford Explorer (Health Department) were reviewed;
  - Marion National Bank 5.30%
  - Cottonwood Valley Bank 5.35%
  - Community National Bank 4.06%

Becker moved to award the lease-purchase to Community National Bank at a rate of 4.06% and a six-year term. Crofoot 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, Spencer, and Jantz present for five minutes until 11:25 a.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

**VETERANS MEMORIAL DISCUSSION:** Warren Kreutziger, Ida French, Mike Mowat, Joshua Inlow, Byron Lange, Jennifer Guetterman, Mitch Guetterman, Dan Holub, Benny Key, Tom Britain, and Roger Hannaford joined the session. Inlow presented concept drawings for a proposed Marion County Veterans Memorial. After discussion, Becker moved to support the concept of a County Veterans Memorial at the Marion County Lake. Dallke seconded and motion carried 5-0. It was noted that the group in charge of the project should take steps to further organize and gain 501C-3 status prior to any final project approval.

**TRANSFER STATION:** Dir. Josh Housman requested permission to spend \$11,485.52 to repair one of the department's walking floor trailers. After discussion, Mueller moved to proceed contingent upon availability of funding (in the Transfer Station budget). Gehring seconded and motion carried 5-0.

**EMERGENCY MANAGEMENT:** Dir. Marcy Hostetler provided an update on upcoming and ongoing department activities. Hostetler requested approval to purchase 30 WR120 weather radios for home use and 30 ER40 weather radios for travel use to be provided to senior citizens in Marion County for a total cost of \$1,819.20 to be paid with grant funds. Gehring moved to approve. Crofoot seconded and motion carried 5-0.

**PERSONNEL DISCUSSION:** 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 12:25 p.m. Dallke seconded and motion carried 5-0. Open session resumed with a motion by Mueller to set the pay grade for the Deputy Emergency Management Director at step L. Gehring seconded and motion carried 5-0.

**BUILDING DISCUSSION:** Co. Attorney Joel Ensey and Office Manager Karen Selznick joined the session to discuss the possibility of the County Attorney's Office moving to the annex building. After discussion, the consensus of the Board was to have Ensey develop a conceptual design for EMS and Co. Attorney's Office as co-occupants, including potential cost of renovations.

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

October 31, 2022, Continued

**PERSONNEL DISCUSSION:** 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 12:45 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

**ROAD & BRIDGE:** Co. Engineer Brice Goebel presented a document entitled "Authority to Award Contract Commitment of County Funds" for project number C-569-01 (190<sup>th</sup> & Nighthawk Intersection) for approval. Mueller moved to approve - authorizing the project and to KDOT \$40,000.00 (as outlined in the document). Dallke seconded and motion carried 5-0.

- Goebel reported that a 2021 Mack dump truck is available on Purple Wave. After discussion, Mueller moved to authorize Goebel to bid up to \$180,000.00 contingent upon the vehicle being inspected by the Shop Supervisor, available funding in the special equipment budget, and the department selling another vehicle. Crofoot seconded and motion carried 3-2 with Gehring and Becker opposed.
- 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, Goebel, and Spencer present for 15 minutes until 1:29 p.m. Crofoot seconded and motion carried 5-0. Open session resumed with a motion by Mueller to recess into executive session to discuss personnel/performance pursuant to K.S.A. 75-4319b (1) for matters of non-elected personnel with the Board, Jantz, Goebel and Spencer present for 15 minutes until 1:46 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

**COUNTY COUNSELOR:** Mueller moved to recess into executive session to discuss potential litigation pursuant to K.S.A. 75-4319b (2) for matters deemed privileged under attorney/client privilege with the Board, Jantz, and Spencer present for 30 minutes until 2:20 p.m. Planning/Zoning/Environmental Health Director Sharon Omstead was invited in for a portion of the session. Gehring seconded and motion carried 5-0. Open session resumed with no action.

- Mueller moved to recess into executive session to discuss matters of litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Jantz and Spencer present for 20 minutes until 2:44 p.m. Dallke seconded and motion carried 5-0. Open session resumed with no action.
- Mueller moved to recess into executive session to discuss contract negotiation pursuant to K.S.A. 75-4319b (2) for consultation with our attorney in matters deemed privileged under attorney/client privilege with the Board, Jantz, and Spencer present for 10 minutes until 3:00 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.
- Mueller moved to recess into executive session to discuss property acquisition pursuant to K.S.A. 75-4319b (13) for preliminary discussion of acquisition of real estate with the Board, Jantz, and Spencer present for five minutes until 3:07 p.m. Gehring seconded and motion carried 5-0. Open session resumed with a motion by Gehring to contract with Kansas Real Estate Appraisal Services, Inc. to perform property appraisals at a cost of \$4,500.00. Dallke seconded and motion carried 5-0.

Mueller moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 3:09 p.m.

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David Mueller, Chairman

ATTEST: \_\_\_\_\_  
Tina D. Spencer, County Clerk

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

October 31, 2022, Continued

RESOLUTION 2022-31

**A RESOLUTION DECLARING CERTAIN DELINQUENT PERSONAL PROPERTY TAXES  
TO BE DORMANT AND UNCOLLECTIBLE, PURSUANT TO K.S.A. 79-2101**

**WHEREAS**, the County Treasurer is responsible for the collection of delinquent personal property taxes; and

**WHEREAS**, the efforts to affect those collections cause the Treasurer to expend resources which could be better directed elsewhere; and

**WHEREAS**, K.S.A. 79-2101 allows such taxes, liens, and judgments to become dormant after twenty (20) years; and

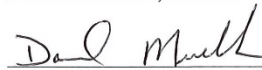
**WHEREAS**, K.S.A. 79-2101 also allows such taxes, liens, and judgments to become dormant at any time if the original amount of the judgment was less than \$50.00.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS**, that pursuant to K.S.A. 79-2101 and the express opinion by the County Treasurer, such efforts to enforce collection of those amounts set forth in the list attached hereto are futile and a waste of county resources.

**BE IT FURTHER RESOLVED** that those taxes set forth in the amounts listed in the attached hereto meet the statutory criteria of K.S.A. 79-2101 and are hereby declared dormant and uncollectible and are to be removed from the list of delinquent personal property taxes due and owing to Marion County, Kansas.

Adopted and approved this 31<sup>st</sup> 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 Dillke, 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 31, 2022, Continued

**UNCOLLECTED PERSONAL PROPERTY TAXES MORE THAN 20 YEARS OLD**

YEAR UNPAID	TAX ID	NAME OF TAXPAYER	TAX AMOUNT
1998	3-09419	Mick Claves	209.86
1998	3-09563	Mitch Olson	54.40
1998	3-09735	Robert & Tassie Hatton	330.46
1998	7-09633	James V. Bower c/o Bryan G. Bower	92.88
1999	3-03371	Dean K. Owens	45.66
1999	3-06124	Lonnie R. & Deeann Redger	36.84
1999	3-08306	Sherri L. Duerksen	167.76
1999	3-09712	Roger Levasseur	13.92
1999	3-09735	Robert & Tassie Hatton	609.64
1999	3-09829	Robert Strawn	158.20
1999	3-09882	Kenny R. & Julian Glenn	163.52
1999	3-09890	Lonnie & Dee Ann Redger	338.70
1999	3-09979	Kansas Whitetail Outfitters	20.36
1999	5-00023B01	A.W. Ciani	6.72
1999	5-0010206	Dixie E. McMaster Estate c/o Total Petroleum Inc.	14.76
1999	5-00108A04	Oscar Goode	7.17
1999	5-00108B03	Oscar Goode	11.22
1999	5-00108G04	Oscar Goode	8.21
1999	6-01013	Waldo O. Voth	87.18
1999	6-03957	Dale E. & Janie A. Rorabaugh	6.62
2000	3-02987	Foth's Service Center	235.38
2000	3-04451	Victor H. Reimund	60.64
2000	3-06124	Lonnie R. & Deeann Redger	36.20
2000	3-08324	David L. Gage	43.18
2000	3-09645	Impressions	54.90
2000	3-09712	Roger Levasseur	23.22
2000	3-09735	Robert & Tassie Hatton	623.84
2000	3-09768	Paul R. Fore Jr. c/o Tina Fore	318.58
2000	3-09829	Robert Strawn	131.94
2000	3-09882	Kenny R. & Julian Glenn	178.28
2000	3-09890	Lonnie & Deeann Redger	373.98
2000	5-00004A01	Otto Brasch c/o Gretchen Brasch	6.67
2000	5-0007A05	Nancy B. Kerckhoff	5.77
2000	5-0010206	Dixie E. McMaster Estate c/o Sylvia Burgess	26.98
2000	5-00108A04	Oscar Goode	29.28
2000	5-00108B03	Oscar Goode	30.64
2000	5-00108G04	Oscar Goode	25.44
2000	5-00108H04	Oscar Goode	12.56
2000	5-0012504	Rosemary B. Roberts	6.13
2000	5-0012507	Nancy B. Kerckhoff	6.13
2000	6-01013	Waldo O. Voth	210.60
2000	7-04774	Dan Suderman	146.56
2001	3-02987	Foth's Service Center	237.54
2001	3-09645	Impressions	55.40
2001	3-09637	Mark & Candy Spicher	18.88

**RECORD OF PROCEEDINGS  
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October 31, 2022, Continued

2001	3-09712	Roger Levasseur	22.92
2001	3-09735	Robert & Tassie Hatton	637.58
2001	3-09829	Robert Strawn	133.16
2001	3-09890	Lonnie & Deeann Redger	378.04
2001	3-11019	Capital Crossing Bank c/o Dolphin Capital Corp.	45.14
2001	5-00007A05	Nancy B. Kerckhoff	7.91
2001	5-00023B01	A.W. Ciani	16.62
2001	5-00023L09	Kent C. Steiner	5.21
2001	5-00023L15	Jeffrey Gamache	7.82
2001	5-0010206	Dixie E. McMaster Estate c/o Sylvia Burgess	45.02
2001	5-00108A04	Oscar Goode	24.73
2001	5-00108B03	Oscar Goode	31.48
2001	5-00108G04	Oscar Goode	33.78
2001	5-00108H04	Oscar Goode	16.94
2001	5-0012504	Rosemary B. Roberts	7.91
2001	5-0012507	Nancy B. Kerckhoff	7.91
		<b>TOTAL WRITE-OFF</b>	<b>\$6,704.97</b>

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

October 31, 2022, Continued

RESOLUTION 2022-32

**A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT DIRECTOR  
FOR MARION COUNTY, KANSAS**

**WHEREAS**, as of May 16, 2022, the Emergency Management Director position for Marion County, Kansas was vacant; and

**WHEREAS**, Marcy Hostetler was appointed as Interim Emergency Management Director on that date to serve until a full-time Director was appointed; and

**WHEREAS**, a process was followed to determine the best possible person to serve in the role in Marion County; and

**WHEREAS**, Marcy Hostetler is qualified to serve as Marion County Emergency Management Director; and

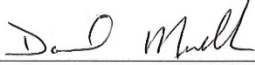
**WHEREAS**, the Board of Commissioners offered the position to Marcy Hostetler on October 24, 2022, and she accepted.

**NOW, THEREFORE BE IT RESOLVED**, that Marcy Hostetler is hereby appointed to the office of Marion County Emergency Management Director, effective October 24, 2022, and shall have all duties and powers that come with the position.

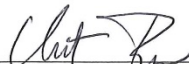
**BE IT FURTHER RESOLVED** that this resolution shall remain in effect for the duration of employment with Marion County, unless terminated earlier by consent of the Board of County Commissioners of Marion County, Kansas.

Adopted this 31<sup>st</sup> 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