

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

January 26, 2023

Commission met in special session at 9:00 a.m. in Commission chambers at the Marion County Courthouse with Chr. David Mueller, Comm. Jonah Gehring, Comm. Kent Becker, and Comm. Randy Dallke present. Comm. Dave Crofoot joined the meeting at 10:00 a.m. Also present were Co. Clerk Tina Spencer and Park & Lake Supt. Isaac Hett. Present for portions of the meeting were Planning/Zoning/Environmental Health Dir. Sharon Omstead, other County staff, and members of the press.

Present via teleconference were Brian Severin and Curtis Janssen of Sustainable Environmental Consultants, Kansas Division of Water Resources personnel Terry Medley, Dam Safety Program Manager, Ambrose Ketter, Dam Safety Team Leader, Zack Rust, and Leonard Bristow, Water Structures Engineer, and US Army Corps of Engineers Regulatory Specialist Lee Wolf.

The purpose of the meeting was to discuss the County's permit application for erosion repairs at the Marion County Park & Lake dam. During the meeting it was brought to the County's attention that the Kansas Division of Water Resources (KDWR) would like the County to clear out the stream channel and excavate around the current area around the burp hole so that the pipe is above the water level and may be monitored. This is work that has not previously been planned by the County. Much of the stream channel is on property that is not owned by Marion County.

After a lengthy discussion, Chr. Mueller indicated that Marion County is dedicated to the safety of the dam. The KDWR staff said they would like at least a verbal commitment from the County that the additional matters brought to light at this meeting will be investigated and addressed in the future. It might be added to the current permit as a condition. The Board was interested in seeing the language of that condition prior to final permitting, and also would like to have an engineer's estimate of cost for the proposed additional work. In order to move forward with the additional work, there would need to be an agreement with the adjoining landowner.

Hett expressed that this is a separate issue from the erosion repairs that this permit was requested for two years ago, and that the continual delay in permitting this project has allowed that erosion to get worse. It was reiterated that the County wants to make the repairs on that erosion as soon as possible to keep the dam safe.

Commissioner Dallke was asked to contact the adjoining landowner regarding the KDWR request. Dallke suggested that Crofoot and Hett also be involved in the conversation.

Mueller moved to adjourn. Gehring seconded and motion carried 5-0. Meeting adjourned at 10:27 a.m.

David Mueller, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk