

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

February 21, 2023

Commission met in special session at 10:30 a.m. in Commission chambers at the Marion County Courthouse with Chr. David Mueller, Comm. Kent Becker, Comm. Dave Crofoot, and Comm. Randy Dallke present. Comm. Jonah Gehring joined the session at 10:34 a.m. Mueller moved to recess into executive session to prepare department head reviews pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with only the Board present for 90 minutes until 12:00 p.m. Dallke seconded and motion carried 4-0. Gehring joined the executive session in progress. Open session resumed with no action. The work session adjourned at 12:00 p.m.

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 was Co. Clerk Tina Spencer. Present for portions of the meeting were Co. Counselor Brad Jantz (online), County staff, members of the public and members of the press.

PUBLIC FORUM: There were no public comments.

ADMINISTRATIVE: Crofoot moved to approve the minutes of February 13th. Dallke seconded and motion carried 5-0.

- A salary sheet was signed for Curtis Osland – part time Paramedic at \$18.08/hour effective 2/13/2023.
- Gehring moved to retain the same health insurance coverage through BCBS as presented (including a 3.6% increase). Becker seconded and motion carried 5-0.
- Crofoot moved that the County absorb the amount of the increase and not pass it along to employees. Gehring seconded and motion carried 5-0.

WEED/HHW/TRANSFER STATION/RECYCLING: Dir. Josh Housman presented bids for a side-by-side all terrain vehicle for the Noxious Weed Department:

KanEquip	2023 Ranger 1000	\$22,400.45
Wichita Tractor	2023 Ranger 1000	\$20,960.00
Prairie Land Partners	JD XUV835E	\$28,000.00
Wichita Tractor	Ranger Northstar Premium	\$26,900.00 (includes heating/air)
Prairie Land Partners	JD XUV835R	\$30,000.00 (includes heating/air)

After discussion, Crofoot moved to purchase the unit from Prairieland Partners to include heating/air for \$30,000.00. Gehring seconded and motion carried 3-2 with Dallke and Becker opposed.

Skid Steer bids for the transfer station were presented for review:

White Star Machinery	S86 T4 Bobcat	\$69,650.85
Murphy Tractor	332G John Deere	\$73,355.00
Bobcat of Salina	S86 T4 Bobcat	\$70,729.44
Bobcat of Salina	S770 T4 Bobcat	\$67,847.60

Becker moved to purchase the S770 T4 Bobcat from Bobcat of Salina for \$67,847.60. Crofoot seconded and motion carried 4-1 with Dallke opposed. Session recessed for five minutes.

ATTORNEY/CLIENT BUSINESS: Planning/Zoning/Environmental Health Dir. Sharon Omstead joined the session. Mueller moved to recess into executive session to discuss pending litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorneys on matters deemed privileged under attorney/client privilege with the Board, Omstead, and Spencer present in person and Co. Counselor Brad Jantz, and Andrew Holder present online for 30 minutes until 1:30 p.m. Dallke seconded and motion carried 5-0. Reed McGregor was invited and joined the online session. Open session resumed with a motion by Mueller to recess into executive session to discuss pending litigation pursuant to K.S.A. 75-4319b (2) for consultation with our attorneys on matters deemed privileged under attorney/client privilege with the Board, Omstead, Spencer, Jantz, Holder, and McGregor present for 15 minutes until 1:46 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 on matters deemed privileged under attorney/client privilege with the Board, Spencer, and Jantz present for 10 minutes until 2:00 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

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February 21, 2023, Continued

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead presented Case PC23-01 Conditional Use Permit application for an event venue for consideration. Applicants Jodi and Darryl Sledd were also present. After discussion, Dallke moved to adopt Resolution 2023-05 granting a Conditional Use Permit to Operate a Wedding and Event Venue at the Historic Keystone Ranch at 2910 47th Terrace, Burns, Kansas (subject to conditions and restrictions). Becker seconded and motion carried 5-0.

- Omstead provided an update on the FEMA flood map project and the Sunflower Wind Project.
- Two Planning Commission appointments are still needed for District #3.

DEPARTMENT ON AGING: Dir. Gayla Ratzlaff presented a quarterly report of department activities.

- 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, Ratzlaff, and Spencer present for five minutes until 2:30 p.m. Gehring seconded and motion carried 5-0. Open session resumed with an announcement that Ratzlaff will be retiring, and her last day will be April 28, 2023. Dallke moved to accept Ratzlaff's resignation / retirement. Gehring seconded and motion carried 5-0. The Board thanked Ratzlaff for her work and dedication to Marion County senior citizens.

HEALTH DEPARTMENT: Dir. Krista Schneider presented a contract with Work Well Kansas for an employee wellness program. The agreement is at no cost but requires participation and policy making to support employee well-being. Mueller moved to sign the contract with Work Well Kansas. Dallke seconded and motion carried 5-0.

- Schneider requested permission to take staff members to the 2023 Kansas Governor's Public Health Conference at a cost of \$300.00 per person to be paid with grant funds and to potentially close the Health Department for those three days. After discussion, Crofoot moved to support sending five employees to the conference utilizing grant funding. Mueller seconded and motion carried 4-1 with Dallke opposed.

CO. TREASURER: Co. Treasurer Susan Berg presented a proposed job description for a Administrative Specialist II / Driver's License Examiner for review and approval. Gehring moved to approve the Administrative Specialist II / Driver's License Examiner job description. Dallke seconded and motion carried 5-0.

- A salary sheet was signed for Mischelle Mitre change from Administrative Specialist I to Administrative Specialist II / Driver's License Examiner from \$2,694.00/mo. to \$2,744.00/mo. effective 2/21/2023.

COMMISSIONER COMMENTS: Becker provided information regarding Commissioner salaries from other Counties, noting that there is a large range with \$16,682.00 being the lowest and \$98,770.00 being the highest. Several specific neighboring Counties were discussed.

- Becker commented that Harvey County is operating a Health Department with 14 employees in 4,573 square feet and the area is adequate for their needs.
- Becker said with all the rail lines running through Marion County that we should be paying attention to hazard mitigation plans in case of a railroad related release of hazardous materials. He has requested information from Emergency Management Dir. Marcy Hostetler on the subject.

Gehring moved to adjourn. Dallke seconded and motion carried 5-0. Meeting adjourned at 3:12 p.m.

David Mueller, Chairman

ATTEST:

Tina D. Spencer, County Clerk

**RECORD OF PROCEEDINGS
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February 21, 2023, Continued

RESOLUTION NUMBER 2023-05

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE A WEDDING AND EVENT VENUE AT THE HISTORIC KEYSTONE RANCH AT 2910 47TH TERRACE, BURNS, KANSAS.

WHEREAS, application has been made by Mary J. and Darryl D. Sledd, owners, requesting a Conditional Use Permit to operate a wedding and event venue on property zoned "RR" Rural Residential District, in the Southwest Quarter of Section 11, Township 22 South, Range 5 East, Marion County, Kansas; and,

WHEREAS, following proper notification in the official County newspaper of a public hearing, on January 4, 2023, the Marion County Planning Commission held a public hearing on Case No. PC-23-01 on January 26, 2023 to consider the above said proposed conditional use, and;

WHEREAS, the Marion County Planning Commission has recommended approval of a conditional use permit for the operation of a wedding and event venue 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 operate a wedding and event venue, subject to the conditions and restrictions listed herein:

S11, T22, R05, ACRES 21.82, PRT SW/4 COM S/C SW/4 E 753.19' ALG S LI
SW/4 NWLY 740.60' TO POB NELY 594.65' NELY 636.54' SELY 670.95' SWLY
1310.68' NWLY 772.51' TO POB

2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:
 - a) The CUP be reviewed every five years for compliance.
 - b) Proof of liability insurance for the host property shall be provided.
 - c) The property shall maintain an annual short-term rental registration with the county and be subject to the requirements and conditions in conjunction with short term rentals. CUP holders will be notified prior to annual registration when conditions have changed, to allow a reasonable time for them to comply.
 - d) If at any time these guidelines are not followed, the host property may be suspended or revoked.
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 21st day of February, 2023.

(Signature page follow)

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February 21, 2023, Continued



**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 Dalke ☒ Yea
☐ Nay
☐ Abstain
 Randy Dalke, Member – District 3

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

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

ATTEST:

Tina D. Spencer
 Tina D. Spencer, County Clerk