

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

April 10, 2023

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 County staff, members of the public, and members of the press.

**PUBLIC FORUM:** There were no public comments.

**ADMINISTRATIVE:** Gehring moved to approve the minutes of April 3<sup>rd</sup>. Dallke seconded, and motion carried 5-0.

- Early checks in the amount of \$3,486.39 were presented for approval, including \$439.56 to Western Associates. Gehring moved to approve payables to Western Associates in the amount of \$439.56. Dallke seconded and motion carried 5-0 with Crofoot abstaining due to conflict of interest (abstention counted with majority prevailing). Dallke moved to approve early checks totaling \$3,486.39. Gehring seconded and motion carried 5-0 (check #'s 50910-50915).

**SEXUAL ASSAULT AWARENESS MONTH PROCLAMATION:** Deanne Nelson with Safe Hope joined the session and presented statistics about sexual assault, including Marion County general statistics of those served through Safe Hope advocacy center. Nelson presented a proclamation for approval, declaring April as Sexual Assault Awareness Month in Marion County. Mueller moved to adopt the proclamation, declaring April as Sexual Assault Awareness Month in Marion County, Kansas. Becker seconded and motion carried 5-0.

**ROAD & BRIDGE:** Co. Engineer Brice Goebel was present for department business. Goebel reported on ongoing and upcoming department projects and activities.

- Mueller moved to approve Utility Permit #2023-16 for Zayo to place fiber optic lines (along 110<sup>th</sup> and Remington in section 13-21-3). Gehring seconded and motion carried 5-0.
- KDOT has informally asked whether Marion County would take over maintenance on certain sections of state right-of-way including K-15 leading into Goessel and K-68 leading into Lehigh. Gehring noted that there are drainage issues that need to be corrected and he would not be in favor of taking over maintenance unless that issue is addressed first. No action was taken.

**PLANNING/ZONING/ENVIRONMENTAL HEALTH:** Dir. Sharon Omstead presented case PC-230-2-application for a conditional use permit on behalf of McPherson Rural Water District #1 to operate a water treatment facility and associated infrastructure in part of the northwest quarter5 of section 17/17/01, Marion County, Kansas. Present on behalf of the applicant were Board Chairman Joe Ryan and engineers Jacob Allen and Doug Goetz with Wilson & Company. The Planning Commission recommended approval with conditions. After discussion, Mueller moved to adopt Resolution 2023-09, granting a conditional use permit to operate a water treatment facility and associated infrastructure on certain property located at 3452 Alamo. Becker seconded and motion carried 5-0.

- Omstead presented a request for a special event permit for the Florence Grand Prix race. Present on behalf of Flint Hills Bent Rims were Board Chairman Bruce Skiles and Board Member Tobe Moore. After discussion, Crofoot moved to allow the group to host the event on County property, to close 120<sup>th</sup> and Yarrow roads from 9 a.m. until 5 p.m. on May 28<sup>th</sup> in the immediate vicinity of the race, and to allow the group to borrow barricades from Marion County – contingent upon official approval of the event by the City of Florence. Becker seconded and motion carried 5-0. Crofoot thanked the event planners, noting that it brings people to the County.

**PERSONNEL DISCUSSION:** Mueller moved to recess into executive session to discuss personnel/hiring pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board and Spencer present for five minutes until 1:43 p.m. Gehring seconded, and motion carried 5-0. Open session resumed with no action.

Mueller moved to adjourn. Gehring seconded and motion carried 5-0. Meeting adjourned at 1:45 p.m.

\_\_\_\_\_  
David Mueller, Chairman

ATTEST:

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

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

April 10, 2023, Continued

**RESOLUTION NUMBER 2023-09**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE A WATER TREATMENT FACILITY AND ASSOCIATED INFRASTRUCTURE ON CERTAIN PROPERTY LOCATED AT 3452 ALAMO, MCPHERSON, KANSAS.**

**WHEREAS**, application has been made by Joe Ryan, Board Chairman, on behalf of McPherson rural Water District No. 1, owner, requesting a Conditional Use Permit to operate a water treatment facility and associated infrastructure on property zoned "SR" Suburban Residential and a portion of property zoned "A" Agricultural District, all within the Southwest Quarter of the Northwest Quarter of Section 17, Township 17 South, Range 1 East, generally known as 3452 Alamo, McPherson, Marion County, Kansas; and,

**WHEREAS**, following proper notification in the official County newspaper of a public hearing, on March 1, 2023, the Marion County Planning Commission held a public hearing on Case No. PC-23-02 on March 23, 2023, to consider the above said proposed conditional use, and;

**WHEREAS**, the Marion County Planning Commission has recommended approval of a conditional use permit to operate a water treatment facility and associated infrastructure on certain 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 operate a water treatment facility and associated infrastructure, subject to the conditions and restrictions listed herein:

S17, T17, R01, ACRES 0.87, PT NW/4 17-17-01 BEG SW/C S/2 NW/4 E 208' N 208' W 208' S 20 8' TO POB; TOGETHER WITH S17, T17, R01, ACRES 77.66, S/2 NW/4 EXC BEG NW/C S/2 E 208' S 208' W 208' N 208' & EX C BEG SW COR E 208' N 208' W 208' S 208' LESS ROW

2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:

- a. The Development Plan, as presented, is strictly adhered to.
- b. The project must remain compliant with all conditions required by other state, federal, and environmental regulatory agencies.

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 10<sup>th</sup> day of April, 2023.



ATTEST:

*Tina D. Spencer*  
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 Dallke* ☒ Yea  
[ ] Nay  
[ ] Abstain  
Randy Dallke, 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**

April 10, 2023, Continued

**PROCLAMATION  
SEXUAL ASSAULT AWARENESS MONTH  
APRIL 2023**

**WHEREAS**, April is Sexual Assault Awareness Month — a time to draw attention to the prevalence of sexual assault and educate individuals and communities about how to prevent it. Sexual harassment, abuse, and assault are widespread problems. We know that, in the United States alone, someone is sexually assaulted every 68 seconds. Nearly one in five women and one in 67 men have been raped at some time in their lives (Smith et al., 2017), and that one in six boys and one in four girls is sexually abused before the age of 18 (Dube et al., 2005).

**WHEREAS**, sexual harassment, assault, and abuse happen in all communities — and that includes online spaces. We are spending more and more of our lives online — whether that's for work, school, or entertainment. Unfortunately, with this increase in virtual connection comes an increase in online abuse and harassment. Consent and boundaries can be violated online in a number of ways, and the trauma of online abuse is all too real for many survivors.

**WHEREAS**, Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person in the community. SAAM aims to raise public awareness about sexual violence and educate communities on how to prevent it. Each of us has the power to change that.

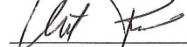
**WHEREAS**, 2023 marks the twenty-second anniversary of SAAM, and the theme of this year's campaign is "Drawing Connections: Prevention Demands Equity." This campaign calls on all individuals, communities, organizations, and institutions to change ourselves and the systems surrounding us to build racial equity and respect.

**NOW, THEREFORE**, the Board of Marion County Commissioners in the State of Kansas, do hereby proclaim the month of April 2023 as "Sexual Assault Awareness Month" in Marion County.

So, proclaimed this 10<sup>th</sup> day of April 2023.

**BOARD OF MARION COUNTY COMMISSIONERS**

  
David Mueller, Chairman – District 2

  
Kent Becker, Member – District 1

  
Randy Dalke, Member – District 3

  
Dave Crofoot, Member – District 4

  
Jonah Gehring, Member – District 5



ATTEST:

  
Tina Spencer, County Clerk