

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

April 17, 2023, 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:** There were no public comments.

**AGENDA APPROVAL:** Mueller moved to amend the agenda, adding a five-minute recess at the beginning of the agenda, then a five-minute executive session for personnel, and place the administrative business at the end. Crofoot seconded and motion carried 5-0. Session recessed for five minutes until 12:37 p.m.

**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, Spencer, and Jantz present for five minutes until 12:45 p.m. with open session to resume in Commission chambers following the closed session. Becker seconded and motion carried 5-0. Open session resumed with no action.

**CORRECTIONS OFFICER / EMPLOYEES WEEK:** Jail Administrator Jim Philpott and Sheriff Jeff Soyez joined the session. Philpott presented a proclamation for approval – declaring the week of May 7-13, 2023, as Correction Officers / Employees Week in Marion County, Kansas. Chr. Mueller read the proclamation. Mueller moved to approve the proclamation and designating May 7-13, 2023, as National Correctional Officers and Employees Week in Marion County, Kansas. Dallke seconded and motion carried 5-0.

**FENCE CONCERNS:** Sheriff Jeff Soyez and landowners Lyle Leppke, Wilbur Leppke, and Larry Andres were present to express concern about frequent problems with a neighboring landowner not properly fencing their cattle. L. Leppke said there is a significant issue that has not been resolved through neighborly discussion. He reported that there have been 40 to 60 head of cattle on his wheatfield and eating hay on his property. Leppke said that about one third of his wheat crop is likely unsalvageable, and the issue has been ongoing for many years. Sheriff Soyez noted that this seems to be a habitual problem with certain individuals in multiple areas of the County. Soyez requested that the County Commission hold a fence-viewing session to address the issue or send a certified letter putting the landowner on notice that the habitual issue of their livestock being at-large will not be tolerated by the County.

- Andres stated that similar issues are occurring on his property and have been for multiple years. He recounted an incident from several years ago where his fence was wired down, and the neighbor's cattle crossed onto his property.
- After discussion, L. Leppke requested that the Board view fences at 70<sup>th</sup> and Remington (and around Sections 1 and 2 of Peabody Township). Mueller moved for the Board of Commissioners to conduct a fence viewing in the area of 70<sup>th</sup> and Remington at 9:00 a.m. on Thursday, April 20<sup>th</sup> (weather permitting). Dallke seconded and motion carried 5-0.

Session recessed for 10 minutes until 1:50 p.m.

**HEALTH DEPARTMENT-Building Discussion:** Dir. Krista Schneider joined the session. Mueller opened a discussion regarding the site located at 1220 E. Main, Marion, which was recently approved for purchase by the County for \$1 from Marion Advancement Campaign as a potential site for the Health Department. After a lengthy discussion, Mueller moved to approve the location of 1220 E. Main, Marion, as the site for the future Health Department, with specific building plans to be developed and approved by the Board. Crofoot seconded and Mueller called for a roll call vote: Becker- nay; Gehring – nay; Dallke – yay; Crofoot – yay; Mueller – yay. Motion passed 3-2 with Becker and Gehring opposed.

- Mueller moved to survey the property at 1220 E. Main. Crofoot seconded and motion carried 3-2 with Becker and Gehring opposed.
- Schneider was asked to contact the architect that developed the initial concept drawing to see if he would be willing to revise the conceptual plan to address specific concerns of the Board. Building design and next steps will be discussed at the next meeting.
- **Safe Kids Trailer Donation:** Schneider requested permission to donate the old Safe-Kids trailer to the Marion County Fire Chiefs to transport the new inflatable that was purchased for County use by the Sunflower Wind project. It was noted that for the County to transfer title, an agreement would be required, and the transfer would have to be to an existing governmental entity or non-profit with 501C3 status. The consensus of the Board was to donate the trailer to the Marion Fire Department for Countywide use – with approval of an official agreement next week.
- Upcoming department events were discussed, including Safe Kids Day which is scheduled for May 6<sup>th</sup>.

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April 17, 2023, Regular Meeting, Continued

**ROAD & BRIDGE:** Co. Engineer Brice Goebel was not present but provided a written report of ongoing projects and activities via email.

**CO. COUNSELOR:** Co. Counselor Brad Jantz reported on several ongoing items. No action was taken.

- Mueller moved to recess into executive session to discuss potential 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 10 minutes until 3:16 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.

**ADMINISTRATIVE:** Dallke moved to approve the minutes of April 10<sup>th</sup>. Gehring seconded and motion carried 5-0.

- Gehring moved to approve early checks in the amount of \$614.80. Crofoot seconded and motion carried 5-0 (checks #50916-50920).
- Salary sheets were signed: Anastasia LeRoy – change from full-time to part-time Dispatcher effective 4/1/2023 – no change in wage; Nicole Reid from \$4,846.00/mo. to \$5,257.00/mo. – accelerated contractual increase effective 3/27/2023.
- Spencer presented the April 30<sup>th</sup> ARPA report for review and approval. Gehring moved to approve the ARPA report. Becker seconded and motion carried 5-0.
- Mueller moved to hire Luretta Turk as Department on Aging Coordinator (Director). Gehring seconded and motion carried 5-0. Start date to be determined.

**COMMISSIONER COMMENTS:** Mueller said he would like to have Commissioners that serve on Boards of outside agencies brief the Board of Commissioners on a quarterly (or as needed) basis.

- Comm. Becker expressed concern about the 30/30 program implemented by the Biden administration and suggested that the Board of Commissioners adopt a resolution in support of landowners.

**PUBLIC FORUM:** A public comment submitted online after the first public forum session was closed was read aloud. The comment was from “Jerry” and expressed concern about the Aulne Road after the recent rain and complications with their teenagers’ prom preparations due to the muddy condition of the road. The comment asked when additional roadwork will occur.

Mueller moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 3:40 p.m.

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David Mueller, Chairman

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

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April 17, 2023, Regular Meeting, Continued

**PROCLAMATION**

**WHEREAS**, National Correctional Officers Week was first proclaimed on May 5, 1984, by President Ronald Reagan when he signed Proclamation 5187, to recognize the men and women who work in jails, prisons, and community corrections across the country; and

**WHEREAS**, in 1996, the U.S. Senate officially changed the name to National Correctional Officers and Employees Week, recognized in the first week of May; and

**WHEREAS**, the correctional officers (also known as detention officers) are dedicated to safeguarding residents in Marion County and ensuring public safety; and

**WHEREAS**, these dedicated men and women daily put their lives on the line and perform very difficult tasks that can be dangerous as well as frustrating; and

**WHEREAS**, correctional and detention officers are responsible for supervising inmate conduct and behavior to maintain security within the facility while promoting positive behavior, attitudes, and skills within the inmate population to reduce recidivism and promote successful reentry into the community; and

**WHEREAS**, correctional officers and detention officers deserve our show of support and an increase in public awareness about their vital role in our community; and

**WHEREAS**, correctional and detention officers, strive to maintain a safe working and living environment inside the facility, often in the face of significant challenges and dangers, and our community recognizes the important work and sacrifices that corrections and detention officers make each day to protect the citizens of Marion County; and

**WHEREAS**, this week has been set aside to recognize our correctional and detention officers for their professionalism, hard work, dedication, and efforts to protect those in their custody and the public's safety;

**NOW THEREFORE**, the Board of Marion County Commissioners, do hereby proclaim May 7-13, 2023, National Correctional Officers and Employees Week in Marion County, Kansas and encourage all citizens to join in honoring and recognizing our detention officers and employees who, by their faithful and loyal devotion to their responsibilities, have rendered dedicated service to the community, remembering those correctional professionals who have made the ultimate sacrifice, as well as to those who continue to face the daily dangers and challenges in our nation's jails and prisons.

*So proclaimed this 17<sup>th</sup> day of April 2023 by the  
Board of Marion County Commissioners, Marion, Kansas*

*David Mueller*  
David Mueller, Chairman – District 2

*Kent Becker*  
Kent Becker, Member – District 1

*Randy Dalke*  
Randy Dalke, Member – District 3

*Dave Crofoot*  
Dave Crofoot, Member – District 4

*Jonah Gehring*  
Jonah Gehring, Member – District 5



ATTEST: *Tina D. Spencer*  
Tina D. Spencer, County Clerk