

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

July 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. Randy Dallke, and Comm. Dave Crofoot present. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were County Counselor Brad Jantz, 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 July 3rd. Becker seconded and motion carried 5-0.

- Salary sheets were signed: Timothy Vogel – rehire as part-time AEMT at \$16.90/hour effective 7/5/2023; Anastasia Brandt – change from part-time to full-time Dispatcher at \$18.67/hour effective 4/25/2023.
- Dallke moved to appoint Mark Curry to fill the vacant Fairplay Township Clerk position. Crofoot seconded and motion carried 5-0.
- Budget allocation requests for 2024 were reviewed and discussed. Becker moved to allocate \$6,000.00 to the Marion County Food Bank. Mueller seconded and motion carried 5-0.
 - Dallke moved to allocate \$39,500.00 to the Marion County Conservation District. Gehring seconded and motion carried 5-0.
 - Becker moved to allocate \$6,000.00 to F.A.C.T. (Families and Communities Together). Dallke seconded and motion carried 5-0.
 - Crofoot moved to allocate \$97,232.00 to Prairie View. Gehring seconded. Becker and Dallke both indicated they would like to see where the overall budget before deciding. Motion carried 3-2 with Dallke and Becker opposed.

HEALTH DEPARTMENT: Dir. Krista Schneider presented the contract agreement for the Chronic Disease Risk Reduction (CDRR) grant for approval and signature. Gehring moved to approve. Crofoot seconded and motion carried 5-0. Chr. Mueller signed the contract.

- Schneider provided an update on department programs and activities.

JAIL AIR CONDITIONER: Sheriff Jeff Soyez and Jail Administrator Jim Philpott joined the session to report that one of the large air conditioners at the jail needs to be replaced. An estimate from KVK was provided in the amount of \$22,900.00. After discussion, Gehring moved to approve the proposal in the amount of \$22,900.00. Dallke seconded and motion carried 5-0. The consensus of the Board was to utilize any remaining jail sales tax and then take the balance from the multi-purpose building line item in the general fund.

HIRING DISCUSSION: Mueller moved to recess into executive session to review/discuss an employment application for the Road & Bridge department pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board and Spencer present for 10 minutes from 1:17 p.m. until 1:27 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

ROAD & BRIDGE: R&B Supt. Steve Hudson presented transport fuel bids:

	Tank #3 4,000 gals.	Tank #1 750 gals.	Unleaded 3,500 gals.	Total
Epp's Service, Elbing	2.8650	2.6100	2.7737	\$23,125.45
MFA Oil, Lincolnville	2.9994	2.7584	2.8771	\$24,136.25

Gehring moved to accept the bid from Epp's in the amount of \$23,125.45. Becker seconded and motion carried 5-0.

- Hudson updated the Board on upcoming and ongoing department activities and projects.
- Dallke said he would like to approach the City of Peabody to get permission for County forces to patch the roadway near the Peabody shop, and then present the matter back to the County Commission for approval.

Session recessed for five minutes.

PUBLIC FORUM: Tom Britain commented about legal matters pertaining to the Expedition Wind (Sunflower Wind) project and other legal matters, including the County's prosecution of him in court, and use of taxpayer funds for legal fees. Britain said his constitutional rights were violated when he was cut short from commenting at previous meetings, and that he does not consider the legal matters associated with the wind project to be closed.

Session recessed briefly.

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July 10, 2023, Continued

CO. COUNSELOR: Co. Counselor Brad Jantz joined the session at 2:06 p.m. EMS Director Curt Hasart joined the session. Mueller moved to recess into executive session to discuss contract negotiation pursuant to K.S.A. 75-4319b (2) attorney/client privilege with the Board, Jantz, Spencer, and Hasart present for 20 minutes until 2:29 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

- Mueller moved to recess into executive session to discuss current litigation pursuant to K.S.A. 75-4319b (2) attorney/client privilege with the Board, Jantz, and Spencer present for five minutes until 2:35 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.
- Mueller moved to recess into executive session for contract negotiation pursuant to K.S.A. 785-4319b (2) attorney/client privilege with the Board and Jantz present for 10 minutes until 2:46 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.
- Mueller moved to recess into executive session to discuss potential litigation pursuant to K.S.A. 75-4319b (2) for attorney/client privilege with the Board, Jantz, and Spencer present for fifteen minutes until 3:03 p.m. Becker seconded and motion carried 5-0. Open session resumed with no action.
- Mueller asked what action and timeframe would be needed to change meeting dates and times. There would need to be a resolution, which could be adopted at any time, according to Jantz.

Mueller moved to adjourn. Gehring seconded and motion carried 5-0. Meeting adjourned at 3:03 p.m.

David Mueller, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk