

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

September 18, 2023

Commission met in regular session at 12:30 p.m. in Commission chambers at the Marion County Courthouse with Chr. Dave Mueller, Comm. Kent Becker, Comm. Dave Crofoot, and Comm. Randy Dallke present. Comm. Jonah Gehring joined the meeting at 12:37 p.m. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Co. staff, members of the public, and members of the press.

REVENUE NEUTRAL RATE (RNR) PUBLIC HEARING: Mueller opened the RNR Public Hearing. Scot Loyd of the Loyd Group was present to answer questions. Several members of the public attended. Jonathan Clayton asked several questions about proposed budget line items. Steve Schmidt encouraged the Board to control government spending, and fund additional programs through growth in the ad valorem valuation, while holding the mill levy constant with the prior year rate. Martha Berner asked the Board to consider lowering the mill levy rate and noted that economic development is impacted by the level of taxation. Mueller closed the public hearing. Mueller moved to adopt Resolution 2023-18 To Levy A Property Tax Rate Exceeding the Revenue Neutral Rate. Gehring seconded. Discussion ensued. Dallke clarified that the increase is primarily to cover risk management for the County. Motion carried 5-0 by roll call vote: Mueller – yay; Crofoot – yay; Dallke – yay; Becker – yay; Gehring – yay. Mueller closed the RNR hearing.

2024 BUDGET HEARING: Mueller opened the Budget Public Hearing. There were no public comments. Mueller moved to approve the 2024 budget as presented. Crofoot seconded and motion carried 4-1 by roll call vote: Mueller – yay; Crofoot – yay; Dallke – yay; Becker – yay; Gehring – nay. Mueller closed the 2024 budget hearing.

PUBLIC FORUM: There were no public comments.

EMERGENCY MANAGEMENT: Dir. Marcy Hostetler joined the meeting. The Board recognized Hostetler for being recognized as Emergency Management Professional of the Year at the statewide Kansas Emergency Management Association conference.

CO. ADMINISTRATOR SEARCH: Consultant John Deardoff joined by phone. The Board agreed on a six-week time frame for accepting applications for the County Administrator position and reviewed proposed advertising options. Dallke moved to proceed with the recommended postings and to check with Wichita State University for advertising options. Becker seconded and motion carried 5-0.

ROAD & BRIDGE: Interim Dir. Steve Hudson joined the session. Mueller moved to recess into executive session to discuss the performance of specific employees pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Hudson, and Spencer present for 30 minutes until 1:55 p.m. Open session resumed with no action.

ENGINEERING CONSULTING DISCUSSION: Darin Neufeld from EBH Engineering provided project updates on Kanza and 290th. Neufeld will also be submitting the County's cost share application by the deadline.

- Engineering consulting on an as-needed basis was discussed. No action was taken.

ROAD & BRIDGE: Hudson and Shop Supervisor Tom Holub joined the session. Information about a proposed kiosk for the Santa Fe Trail Cottonwood Crossing was presented. The County has been approached about site preparation work at an estimated cost of \$4,087.75. After discussion, Gehring moved to have the Road & Bridge Department assist with the project at a cost not to exceed \$4,200.00 to be paid from transient guest tax. Becker seconded and motion carried 5-0.

- Hudson presented a request from a property owner to convert a section of roadway from dirt to gravel with the landowner paying for materials. There was some question regarding current policy / practice of whether the County would then be responsible to maintain and rock the road in the future. The matter was tabled to verify current policy.
- Holub said that a truck lift is being sold on Purple Wave this week and requested permission to bid on the unit. Dallke moved to approve bidding up to \$15,000.00 (plus the buyer's premium). Becker seconded and motion carried 5-0.
- Hudson updated the Board on ongoing and upcoming department projects and activities.
- Mueller moved to recess into executive session to discuss job performance of specific employees pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Hudson, and Spencer present for 10 minutes until 2:41 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action. Mueller moved to develop an administrative coordinator position and amend the superintendent and shop supervisor positions to review next week. Gehring seconded and motion carried 5-0.

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September 18, 2023, Continued

AMBULANCE: Dir. Curt Hasart, Chuck Kenney, and Kevin Marler joined the session. Mueller moved to recess into executive session to discuss job performance of specific employees pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Spencer, Hasart, Kenney, and Marler present for 15 minutes until 3:02 p.m. Gehring seconded, and motion carried 5-0. Open session resumed with a motion by Mueller to recess back into executive session to discuss job performance of specific employees pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Spencer, Hasart, Kenney, and Marler present for 10 minutes until 3:13 p.m. Gehring seconded and motion carried 5-0. Open session resumed with no action.

- Mueller moved to recess into executive session to discuss job performance of specific individual employees pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with the Board, Hasart, Kenney, Marler, and Spencer present for five minutes until 3:20 p.m. Gehring seconded and motion carried 5-0. Open session resumed with a motion by Mueller to offer the position of Interim EMS Director to Chuck Kenney with a 10% salary increase and to increase the salary of the Administrative Specialist by 10% for three months or until the Director position is filled. Becker seconded and motion carried 5-0. Kenney accepted the position of Interim EMS Director (effective 9/21/2023).
- Hasart presented quarterly statistics and presented write-offs for approval in the amount of \$4,962.16. Dallke moved to write-off \$4,962.16 in uncollectable accounts. Becker seconded and motion carried 5-0.
- Hasart provided a written summary of the most recent ambulance inspection. Three deficiencies were noted. Hasart said all items are now corrected.

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead distributed updated Zoning Regulations and presented a quarterly report of department activities.

- Omstead reported that Marion County has been offered a grant opportunity in the amount of \$50,000.00 through Kansas Department of Health & Environment to offer funds for wastewater improvement projects on an income-based, first come first served basis. The matter was tabled pending additional information / requirements.

ADMINISTRATIVE: Notification was received from the State of Kansas that the Marion County Appraiser has met substantial compliance standards.

- Dallke moved to approve the minutes for September 11th. Becker seconded and motion carried 5-0 with Mueller abstaining due to absence (abstention counted with majority prevailing).
- Early checks were presented in the amount of \$27,531.89. Crofoot moved to approve payables in the amount of \$27,531.89. Mueller seconded and motion carried 5-0.
- Mueller moved to approve an invoice for architectural services from Alloy Architects in the amount of \$11,025.00 to be paid from ARPA funds. Crofoot seconded and motion carried 5-0.
- Copy paper bids were presented:

	100 cases	200 cases
Baker Brothers, Hillsboro	\$4,750.00	\$9,500.00
Office Plus, Wichita	\$4,075.00	\$8,050.00

Gehring moved to purchase 200 cases locally from Baker Brothers for \$9,500.00. Crofoot seconded and motion carried 4-1 with Dallke opposed.

- Becker moved to change the percentage for local bid acceptance from within 10% of low bid to within 15% of low bid. Mueller seconded and motion carried 4-1 with Dallke opposed.
- Flooring repairs for the hallway outside the courtroom were presented for review:
 - County Seat Decorating Center, Marion \$2,300.00
 - Supreme Flooring, Hillsboro \$2,300.00

After discussion, a coin toss was held to determine the winning bidder. The County Seat won the coin toss.

- Mueller moved to grant permission for Clayton Jantz to hunt at the former landfill for the extended muzzleloader season. Gehring seconded and motion carried 5-0.
- Mueller moved to grant permission for Ian Bennet to hunt at the former landfill for the regular firearms and pre-rut antlerless season. Dallke seconded and motion carried 5-0.
- Mueller moved to approve the Marion County 8th Judicial District budget in the amount of \$205,183.87. Becker seconded and motion carried 5-0. Mueller moved to approve the overall District budget for 8th Judicial District. Dallke seconded and motion carried 5-0. Mueller moved to approve the Court Trustees' budget. Crofoot seconded and motion carried 5-0.
- The Board agreed to hold a dinner theatre style Christmas show for the County employee Christmas party and set the date for December 9th.

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September 18, 2023, Continued

COMMISSION COMMENTS: Becker reported that the Kansas Water Authority has approved utilizing up to 19% of the conservation storage level of the Marion Reservoir. This is a matter of concern for several reasons. Development of a Water Assurance District might be an option to ensure adequate water levels. Representative Scott Hill may be of assistance.

- Mueller congratulated the County Clerk's Office for receiving first place in the County Clerk's Challenge at the Kansas State Fair with their tabletop scarecrow highlighting Marion County. The prize is a \$100 donation to the Marion County Food Bank.

PERSONNEL DISCUSSION: Mueller moved to recess into executive session to discuss job performance of a specific individual pursuant to K.S.A. 75-4139b (1) for personnel matters of non-elected personnel with the Board and Spencer present for five minutes until 4:18 p.m. Dallke seconded and motion carried 5-0. Open session resumed with no action.

PUBLIC FORUM: There were no public comments.

Gehring moved to adjourn. Dallke seconded and motion carried 5-0. Meeting adjourned at 4:21 p.m.

David Mueller, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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September 18, 2023, Continued

Resolution No. 2023- 18

A RESOLUTION OF THE COUNTY OF MARION, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the County of Marion was calculated as 72.833 mills by the Marion County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the County of Marion will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on September 18, 2023, allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

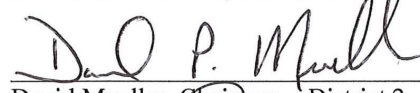
WHEREAS, the Governing Body of the County of Marion, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF MARION: The County of Marion shall levy a property tax rate exceeding the Revenue Neutral Rate of 72.833 mills.


This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 18th day of September 2023 and **SIGNED** by the Governing Body.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS**


David Mueller, Chairman – District 2

☒ Yea
☐ Nay
☐ Abstain


Kent Becker, Member – District 1


☒ Yea
☐ Nay
☐ Abstain


Randy Dalke, Member – District 3

☒ Yea
☐ Nay
☐ Abstain


Dave Crofoot, Member – District 4

☒ Yea
☐ Nay
☐ Abstain


Jonah Gehring, Member – District 5

☒ Yea
☐ Nay
☐ Abstain



ATTEST:


Tina D. Spencer, County Clerk