

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

June 22, 2020

Commission met in regular session in Commission chambers at the Marion County Courthouse at 9:00 a.m. with Chr. Jonah Gehring, Comm. Kent Becker, Comm. Randy Dallke, Comm. Dave Crofoot, and Comm. Dianne R. Novak present. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting was Co. Counselor Brad Jantz. Also present were members of the public and members of the press.

ADMINISTRATIVE: Becker moved to approve the minutes of June 15th (both sessions). Dallke seconded and motion carried 5-0.

- Salary sheets were signed for Sequoia Shull, new Appraiser I at \$1,877.00/mo. effective 6/15/2020; Michael Hurst, transfer from Courthouse to Appraiser I at \$1,991.00/mo. (no change in pay) effective 6/22/2020.
- Gehring moved to approve a budgeted transfer from Road & Bridge Sales Tax to the Capital Improvement Fund in the amount of \$93,542.34. Dallke seconded and motion carried 5-0. Gehring moved to approve a budgeted transfer from Road Maintenance & Improvement 7 Mill (General Fund) to the Capital Improvement Fund in the amount of \$327,397.00. Becker seconded and motion carried 5-0.
- A procurement policy and code of conduct (required documents for the Community Development Block Grant program) were presented. Approval will be requested during the June 30th meeting.
- Gehring moved to adopt Resolution 2020-16 regarding the cleanup of the property located at 106 E. Berry, Lost Springs, Kansas (and providing for cooperation with the Kansas Department of Health and Environment in achieving said repair and cleanup). Becker seconded and motion carried 5-0.
 - Planning/Zoning/Environmental Health Dir. Sharon Omstead noted that an additional resolution will be required for the other two properties involved in the cleanup program. (These will be prepared for the June 30th meeting.)
- Gehring moved to approve Special Event permit 2020-01 for Centre School to have a fireworks show on July 4th (in conjunction with their graduation). Dallke seconded and motion carried 5-0.
- CARES Act funding for Marion County was discussed with no action.
- Gehring noted that Marion County has had two additional confirmed COVID-19 cases.

ROAD & BRIDGE: Co. Engineer Brice Goebel presented road crossing (utility) permits for approval. Gehring moved to approve permit 2020-10 for Enterprise Products (to repair pipeline 18' south of road right of way on the south side of 360th) 0.26 miles west of Timber Rd. Becker seconded and motion carried 5-0. Gehring moved to approve permit 2020-11 for Zayo (to install a new utility cabinet) 0.31 miles west of Hwy 77 on 120th. Dallke seconded and motion carried 5-0.

- Goebel reported that KDOT has accepted the County's application for the Traffic Engineering Assistance Program, to study the intersection of 210th and Pawnee (east of the reservoir).
- Rock was discussed with no Commission action.

PRAIRIE VIEW 2021 BUDGET ALLOCATION REQUEST: Jessie Kaye presented the 2021 budget allocation request in the amount of \$93,798.00. Also present via teleconference was Prairie View Advisory Board Member Evan Yoder, who commented about the difference that Prairie View makes in the lives of students, families, and others.

KANSAS LEGAL SERVICES 2021 BUDGET ALLOCATION REQUEST: Ty Wheeler presented the 2021 budget allocation request for Kansas Legal Services in the amount of \$4,000.00.

HARVEY-MARION COUNTY COMMUNITY DEVELOPMENT DISABILITY ORGANIZATION (CDDO) 2021 BUDGET ALLOCATION REQUEST: Executive Dir. Kevin Gaeddert presented the 2021 budget allocation request for HV/MN County CDDO in the amount of \$65,000.00. Also present was Board Member Mary Gill.

CO. APPRAISER – NEIGHBORHOOD REVITALIZATION PROGRAM APPROVAL: Co. Appraiser Lisa Berg joined the session along with Gail & Marissa Makovec to seek approval for the Makovec's to participate in the neighborhood revitalization program for a new garage. Participation must be approved by the Board because the application was not submitted prior to the start of construction. Gehring moved to approve the project at 3201 Quail Creek for the Neighborhood Revitalization Program. Becker seconded and motion carried 5-0.

WEED/HHW/TRANSFER STATION/RECYCLING: Dir. Josh Housman asked for approval to close the transfer station on July 4th. Crofoot moved to close the Transfer Station on Saturday, July 4th, but to stay open one hour later on July 2nd to accommodate the drop off of recycling (from the City of Hillsboro). Novak seconded and motion carried 5-0.

- Housman asked whether the white trash bin could be removed, or changes made in order to prevent illegal dumping. No action was taken.

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June 22, 2020, Continued

RECYCLING DISCUSSION: Gehring moved to implement a charge of \$82.00/ton (prorated for smaller quantities) for recycling. Dallke seconded and motion carried 5-0. (This charge will be assessed to all recycling brought to the facility by city haulers and private individuals.)

- Gehring moved for the charge to be implemented on July 1, 2020. Dallke seconded and motion carried 5-0.
- Clarification was given that effective July 1st the large recycling bin will no longer be available for public use. Recyclables must be brought directly into the facility, weighed and billed.

PUBLIC COMMENTS: Public comments from the chat box were read aloud. These comments were primarily from Amy Soyez and pertained to static on the virtual meeting. Soyez also asked about the Peabody 4th of July fireworks. Gehring closed public comments.

COMMISSIONER COMMENTS: Novak commented on a memo that she received from the County Clerk (which clarified the time frame for placing political signs). Novak said some people were upset because they had been told they could not place signs until 29 days before the election, but some signs had been going up earlier, and the memo finally brought everyone up to date on the rules.

CO. COUNSELOR: Co. Counselor Brad Jantz requested an executive session to discuss non-elected personnel; the specific reason given was to preserve the privacy of an individual being discussed. Gehring moved to recess into executive session pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with Jantz and the Board present until 11:25 a.m. Dallke seconded and motion carried 5-0. Open session resumed with no action.

Gehring moved to adjourn. Becker seconded and motion carried 5-0. Meeting adjourned at 11:27 a.m.

Jonah Gehring, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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

June 22, 2020, Continued

BEFORE THE COUNTY COMMISSION OF THE
MARION COUNTY, KANSAS

RESOLUTION NO. 2020-16

A RESOLUTION REGARDING THE CLEANUP OF THE PROPERTY LOCATED AT 106 E. BERRY, LOST SPRINGS, KANSAS, AND PROVIDING FOR COOPERATION WITH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT IN ACHIEVING SAID REPAIR AND CLEANUP.

WHEREAS, the County Commission after study and review has determined as follows, to-wit:

THAT the property located at 106 E. Berry, Lost Springs, Kansas, is an illegal solid waste dumping area pursuant to K.S.A. 65-3415(a).

THAT, K.S.A. 65-3415a(c)(7) authorizes the Secretary of KDHE to take corrective action where the release of solid waste presents an actual or potential threat to human health or the environment if the owner or operator has not been identified or is unable or unwilling to perform corrective action.

THAT, K.S.A. 65-3415a(d) requires that the person(s) responsible for the operation or long-term care of a disposal area whose failure to comply with the solid waste act, rules and regulations or permit conditions resulted in the determination that expenditures from the solid waste fund are responsible for repayment of those funds and the Secretary shall take the appropriate action to recover those funds.

THAT, the Secretary has determined that the site presents an actual or potential threat to human health or the environment and the owner or operator is unable or unwilling to perform the necessary corrective action. The Secretary has further determined that the person(s) responsible for the long-term care of the site has not violated the solid waste act, rules, regulations, or permit conditions resulting in the determination that funds should be expended and therefore is not responsible for repayment of funds expended.

THAT, the City of Lost Springs and Marion County should enter into an agreement to remediate the human health or environmental hazards at the site located in County, Kansas known as 106 E. Berry, Lost Springs, Kansas, as the same represents a threat to the safety of the citizens of the City of Lost Springs and Marion County, Kansas.

THAT, the Secretary has determined that it is most cost effective for the County to contract for performance of the tasks necessary to remediate the site.

**RECORD OF PROCEEDINGS
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June 22, 2020, Continued

(Resolution 2020-16 continued)

Therefore, be it RESOLVED that the Marion County Commission authorizes the Chairman on behalf of the County Commission of to enter into an agreement with the Kansas Department of Health and Environment for the repair and cleanup of 106 E. Berry, Lost Springs, Kansas, and to provide for a work plan for said repair and clean up, and to perform all acts necessary to contract for the performance of the tasks necessary to accomplish the same and to enter into a reimbursement agreement with KDHE to recover the actual costs associated in performing said services.

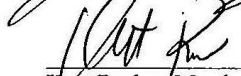
Passed this 22 day of June, 2020.

This Resolution shall take effect upon its passage by the Marion County Commission.

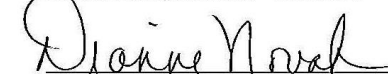
**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, KANSAS**


Jonah Gefring, Chairman – District 5

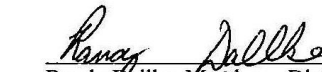
☒ Yea
☐ Nay
☐ Abstain


Kent Becker, Member – District 1


☒ Yea
☐ Nay
☐ Abstain


Dianne R. Novak, Member – District 2

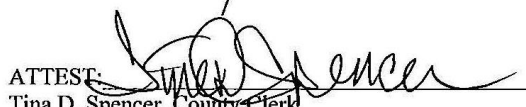
☒ Yea
☐ Nay
☐ Abstain


Randy Ballke, Member – District 3

☒ Yea
☐ Nay
☐ Abstain


Dave Crofoot, Member – District 4

☒ Yea
☐ Nay
☐ Abstain

ATTEST: 
Tina D. Spencer, County Clerk

