

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

March 16, 2020

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

PUBLIC COMMENT: Sara Dawson commented regarding the lack of road maintenance and expressed frustration about the difficulty in receiving rock on roads.

PUBLIC HEALTH EMERGENCY: Emergency Management Dir. Randy Frank presented a COVID-19 Public Health Emergency Resolution for approval. Becker moved to adopt the COVID-19 Public Health Emergency Resolution (#20-09) for Marion County dated March 16, 2020. Crofoot seconded and motion carried 4-0.

- Health Dept. Dir. Diedre Serene, Emergency Preparedness Coordinator Marcy Hostetler, and Medical Consultant Dr. Don Hodson were also present to address any questions regarding the COVID-19 emergency.
- Judge Michael Powers commented on planning that is occurring within the 8th Judicial District to limit exposure to COVID-19. Powers indicated that judicial orders will be forthcoming.
- Dr. Amanda Baxa indicated that at the nursing home, St. Luke Clinic, and assisted living that they have a screening process in place for those visiting each facility. In addition, they are screening their employees on a daily basis. Baxa encouraged everyone to stay home and practice social distancing.

ADMINISTRATIVE: Novak moved to approve the minutes of March 9th as written. Crofoot seconded. Motion carried 4-0.

- Change orders affecting 2019 and prior years' tax rolls were reviewed and signed by the Board.
- A salary sheet was signed for Hayden Beardsley, new Transfer Station Equipment Operator I at \$2,267.00/mo. effective 3/11/2020.
- Dallke moved to accept the department inventory as of 12/31/2019. Becker seconded and motion carried 4-0.
- **Transfer Station Update:** Randy Purdue with Kaw Valley Engineering presented Change Order #1, changing the underground electrical distribution line, resulting in a decrease of \$6,700.00. Dallke moved to accept Change Order #1, decreasing the project cost by \$6,700.00. Becker seconded and motion carried 4-0.
 - Purdue presented information on time and material rates for Nelson Fowles Construction to remove large concrete foundations that were not disclosed prior to bidding the project. After discussion, Dallke moved to authorize additional cost not to exceed \$24,000.00 to the contractor, with engineering costs to Kaw Valley on top of the \$24,000. Crofoot seconded. Motion carried 4-0. It was noted that contractor and engineering fees will be combined into a new change order for official approval at a later date.
 - Dallke moved to approve Pay Estimate #1, authorizing payment in the amount of \$105,235.28. Novak seconded and motion carried 4-0. Becker moved to authorize Dallke as an additional signer (in absence of Chairman Gehring) on the transfer station project documents. Crofoot seconded and motion carried 4-0.

PLANNING/ZONING/ENVIRONMENTAL HEALTH: Dir. Sharon Omstead presented an application from Josh Tajchman for the construction and demolition waste reduction program. Omstead requested Board action to approve the application because the demolition occurred prior to the official implementation of the program by the Board. Future applications can be administratively approved. Becker moved to approve the application for Josh Tajchman to participate in the C&D program at a reduced rate of \$15.00/ton for disposal for the first 25 tons (in accordance with the program). Crofoot seconded and motion carried 4-0.

TAX SALE: Attorney Susan Robson updated the Board regarding the upcoming tax sale. The County is able to take judgment on approximately 31 properties at this time, but is still waiting for civil service on approximately 41 more. After discussion, the Board agreed that the sale should be split, and Robson should proceed with the sale on the first group of properties immediately and then have a second sale for the remaining properties. No decision was made regarding a potential minimum bid. Robson noted that the first sale would likely occur by the end of May.

AMBULANCE: Dir. Travis Parmley presented statistics for the month of February and account information. Dallke moved to write off uncollectible accounts in the amount of \$8,517.99. Novak seconded and motion carried 4-0.

- Parmley reported that he is visiting with Ben Steketee of Hillsboro regarding potential building design for the new Hillsboro station. Dallke asked whether a member of the Commission should also be included.
- Parmley raised concerns regarding potential staffing complications due to the COVID-19 health emergency.

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

March 16, 2020, Continued

ROAD & BRIDGE: Co. Engineer Brice Goebel was present for department business. A salary sheet was signed for Preston Williams, new Mechanic at \$2,723.00/mo. effective 3/16/2020.

- Goebel reported that changing from two inch to three inch overlay on 90th from K-15 to the McPherson County line would increase Cornejo's quote from \$239,263.50 to \$358,263.50. No decision was made.
- Goebel indicated that he submitted an application through the High Risk Rural Roads (HRRR) program for installation of lights and rumble strips at Nighthawk and 190th. (2022 fiscal year.)
- Dallke signed a road crossing permit for Century Link to install a phone line under 190th between Diamond and Chisholm.
- Rock was discussed. Goebel indicated there have been difficulties getting enough of the appropriately sized state-approved rock. After discussion, Becker moved to purchase large rock on an emergency basis even if not KDOT approved, (with hard rock to be placed over the top) for a period of 60 days. Crofoot seconded. Motion carried 4-0.
- The rock road leading south out of town from Florence's Main Street was discussed. Goebel noted there was a miscommunication about the area that was to be fixed, and that he would get it corrected.
- **Public comments:** Linda Peters suggested stockpiling materials and equipment in different areas for better efficiency, and asked for the qualifications for Equipment Operator I, II, and III.

CO. COUNSELOR: Co. Counselor Brad Jantz joined the session at 10:56 a.m. Jantz presented Resolution 2020-08 for approval. Dallke moved to pass Resolution 2020-08 to indefinitely close one mile of 360th between Bison and Chisholm Trail in Logan Township, Marion County, Kansas. Becker seconded and motion carried 4-0.

- The Diamond Vista Road Maintenance Agreement was discussed. There have been difficulties in arranging a meeting with Enel Green Power to settle the outstanding issues. Dallke made a motion to give them the opportunity to meet on Friday, March 20th at 8:30 a.m. and if they don't participate, then the Board would move forward with the process to file a claim against their letter of credit. Novak seconded and motion carried 4-0.

COVID-19 UPDATE: Public Health Officer Diedre Serene presented information and an update regarding COVID-19.

- Emergency Management Dir. Randy Frank requested additional spending authority for some needed computer equipment. Dallke moved to allow Randy Frank emergency spending authority up to \$2,000.00 for computer equipment for the health emergency. Novak seconded and motion carried 4-0.
- After further discussion, Becker moved to allow any Department Heads discretionary authority to spend up to \$5,000.00 to purchase necessary equipment to cope with the virus outbreak. Dallke seconded. Motion carried 4-0.
- Serene will report back each week with new developments.

PUBLIC COMMENTS: Tom Britain questioned the County's reasoning for tasking the County Engineer be the individual overseeing road maintenance issues under the Expedition Wind road maintenance agreement. Britain also asked if there was any new information from Jantz regarding bonuses for elected officials.

CO. COUNSELOR, CONTINUED: Dallke moved to recess into executive session to discuss litigation pursuant to K.S.A. 75-4319b (2) for attorney/client business with the Board, Sharon Omstead, and Jantz present for 10 minutes (from 12:35 p.m. to 12:45 p.m.). Becker seconded and motion carried 4-0. Open session resumed with a motion by Dallke to recess into executive session to discuss litigation pursuant to K.S.A. 75-4319b (2) for attorney/client business with the Board, Omstead, and Jantz present for five minutes (from 12:47 p.m. to 12:52 p.m.). Novak seconded and motion carried 4-0. Open session resumed with no action.

COMMISSION COMMENTS: Potential policy needs related to the COVID-19 Pandemic were discussed with no action.

Crofoot moved to adjourn. Dallke seconded and motion carried 4-0. Meeting adjourned at 1:38 p.m.

Jonah Gehring, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

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

March 16, 2020, Continued

RESOLUTION NO. 2020-08

A RESOLUTION ON THE PETITION AND REQUEST TO CLOSE ONE MILE OF 360TH BETWEEN BISON AND CHISHOLM TRAIL IN LOGAN TOWNSHIP IN MARION COUNTY, KANSAS.

WHEREAS, the Board of Commission of Marion County, Kansas, having heard testimony and having reviewed all documentation, finds that legal notice has been given by the publication as required by law; and

WHEREAS, a public hearing was held at which time concerned persons had the opportunity to speak on the issue; and

WHEREAS, the public will suffer no loss or inconvenience as a result of the action, and in consideration of the request that has been made, an order should be granted pursuant to K.S.A. 68-102 et seq.

THEREFORE, it is ordered by the governing body of Marion County, Kansas, that the following described roadway be closed indefinitely, until further action of the Marion County Commission, to wit:

One mile of 360th between Bison and Chisolm Trail in Logan Township, Section 4-17-1 and Section 9-17-1 in Marion County, Kansas.

All easements for ingress and egress for utilities that are present shall be preserved.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARION, KANSAS, on this 16 day of March, 2020

Balance of this page left intentionally blank. Signature page follows.

RESOLUTION 2020-08 SIGNATURE PAGE

BOARD OF COUNTY COMMISSIONERS MARION COUNTY, KANSAS

☐ Yea

☐ Nay

(absent) ☐ Abstain

Jonah Gehring, Chairman-District 5

☒ Yea

☐ Nay

☐ Abstain

Kent Becker, Member-District 1

☒ Yea

☐ Nay

☐ Abstain

Dianne R. Novak, Member-District 2

☒ Yea

☐ Nay

☐ Abstain

Randy Dallke, Member-District 3

☒ Yea

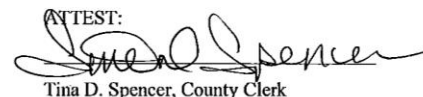
☐ Nay

☐ Abstain

District 4

(Absent)

ATTEST:


Tina D. Spencer, County Clerk



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

March 16, 2020, Continued

Resolution 2020-09:

COVID 19 PUBLIC HEALTH EMERGENCY RESOLUTION

WHEREAS, on the 16 day of March, 2020, the Board of County Commissioners of Marion County, Kansas declared there was a state of local public health emergency in Marion County, Kansas resulting in potential or occurring Pandemic known as COVID 19, in Marion County, Kansas; and

WHEREAS, such conditions endanger the public health, safety and welfare of persons within the borders of Marion County, Kansas.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of MARION County, Kansas:

That the state of local public health emergency in Marion County, Kansas declared on the 16 day of March, 2020, shall continue and remain in effect until 60 days unless terminated earlier.

That the response and recovery aspects of all local disaster plans which are applicable to Marion County, Kansas and shall initiate the rendering of aid and assistance there under.

That any rights or powers lawfully exercised or any actions taken pursuant to local disaster emergency plans shall continue and have full force and effect as authorized by law for 60 days unless modified or terminated in the manner prescribed by law.

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS THIS 16 DAY OF MARCH, 2020.

☐ Yea ☐ Nay ☐ Abstain

Jonah Gehring, Chairman

☒ Yea ☐ Nay ☐ Abstain

Randy Dallke, Member

☒ Yea ☐ Nay ☐ Abstain

Diane Novak, Member

☒ Yea ☐ Nay ☐ Abstain

Dave Crowfoot, Member

☒ Yea ☐ Nay ☐ Abstain

Kent Becker, Member



ATTEST:

Fina D. Spencer, County Clerk