

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

January 9, 2017

District #2 Commissioner Dianne Novak and District #3 Commissioner Randy Dallke were sworn into office by Judge Michael Powers at 8:30 a.m. in the courtroom of the Marion County Courthouse. Other elected officials sworn in were: Sheriff Robert Craft, Co. Attorney Courtney Boehm, Register of Deeds Rebecca Wingfield, Co. Treasurer Jeannine Bateman, and Co. Clerk Tina Spencer. A reception followed in the main hallway.

Commission met in regular session in Commission chambers at 9:00 a.m. with Chr. Randy Dallke, Lori L. Lalouette and Dianne R. Novak present. Also present were Co. Clerk Tina Spencer and members of the press. Citizens in attendance were: Don Stenzel, Rocky Hett, Tom Britain, Roger Holter, Gordon Pendergraft, Carl Stovall, Kevin Suderman, Russell Groves, Jim Hefley, Galen Penner, and Mike Beneke.

**ADMINISTRATIVE – Reorganization of Board:** Dallke moved to appoint himself as Chairman of the Board and Dianne Novak as Vice Chairman for the year 2017. Novak seconded and motion carried 2-1. Lalouette opposed.

**Recall Discussion:** Chr. Dallke reported that a document has been received stating the intent of citizens in District #1 to file a recall petition to remove Lalouette from office. A recall committee of three persons has stepped forward: Jim Hefley, Kevin Suderman, and Galen Penner.

Hefley addressed Lalouette stating that in the best interest of her own personal health and the health of the County that she should submit her resignation immediately. He further stated that she has lost the confidence of the electors in her district. He pressed her to resign, or the committee will move forward with the procedure to implement a recall.

Suderman said he knows what leadership requires, and that he will pursue the recall with the other committee members unless Lalouette decides to voluntarily resign.

Hefley pressed further asking Lalouette if she will resign today. He stated that Lalouette should save herself embarrassment and the County the expense and resign instead of allowing the process to move forward. Lalouette said that she is not in the position to make that decision right now, and also noted that she is not having an ongoing health issue that will prevent her from performing her duties.

The Board resumed regular administrative duties. Dallke noted that the crane at the transfer station is still having problems and needs to be discussed further.

Early checks were approved for processing:

- #43980 to CB Baked Goods in the amount of \$90.00 for cinnamon rolls for swearing in reception – General/Sales Tax
- #43981 to Cooperative Grain & Supply in the amount of \$15,829.48 for transport fuel – R&B
- #43982 to HRK Warehouse in the amount of \$634.00 for FT Crew Beds – Ambulance
- #43983 to Internal Revenue Service in the amount of \$27.57 for 941 taxes-bonus – Imp. Dist. #2
- #43984 to Lanning Pharmacy in the amount of \$17.98 for inmate RX – General/Jail
- #43985 to City of Marion in the amount of \$100.00 for CUP application – General/Multipurpose Bldg.
- #43986 to Improvement Dist. #2 Payroll Fund in the amount of \$27.57 for 941 taxes – Imp. Dist. #2

**Cancellation of checks:** Checks outstanding for more than two years were presented for cancellation:

01/08/14 #6996	Frank Heath	\$ 26.19	<u>Vehicle Fund:</u>		
02/25/14 #7057	Linda Wikoff	\$ 6.44	01/02/14 #17476	Andrew Jay Unruh	\$ 37.70
05/15/14 #7128	Annie Peterson	\$ 7.08	01/30/14 #17571	Martha G. Krispense	\$ 43.78
12/02/14 #7258	Tiodora Nguyer	\$ 12.07	02/11/14 #17590	Christopher Dean	\$ 22.96
12/22/14 #7281	Joel Bass	\$ 86.98	03/19/14 #17685	Jeffrey G. Liebegott	\$ 7.44
01/31/14 #41187	Julianna Neuwirth	\$ 13.85	03/25/14 #17704	Kevin R. Leffler	\$ 19.43
11/26/14 #41626	Penny Coffman	\$ 11.09	04/08/14 #17739	Robert Leon Yutzky Jr	\$ 2.70
02/28/14 #40959	Sarah Gill	\$ 35.23	09/03/14 #18118	Mary Del Vecchio	<u>\$ 31.50</u>
07/31/14 #42470	KS Wildlife/Parks	\$ 10.00			\$165.51
07/31/14 #42586	Verizon	<u>\$ 91.64</u>			
		\$300.57			

Dallke moved to write off outstanding checks as presented in the amount of \$466.08. Lalouette seconded and motion carried 3-0.

**RECORD OF PROCEEDINGS  
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January 9, 2017, Continued

**Mileage rate:** Dallke moved to adopt Resolution 2017-1, establishing the mileage rate for county business conducted in personal vehicles for the year 2017 at 53.5 cents/mile. Lalouette seconded and motion carried 3-0.

**Legal publisher:** Dallke commented that he personally would like to see the press (particularly the Marion County Record) report events in their entirety, and not just parts and pieces. He asked the reporter present to pass that along to the management of the publication, saying it is an injustice to the public to not hear all the facts. Dallke expressed frustration that there is only one company that can legally serve as legal publisher in Marion County.

Dallke moved to adopt Resolution 2017-2, designating the Marion County Record as the official county newspaper of Marion County, Kansas for the year 2017. Lalouette seconded and motion carried 3-0.

**Elected officials salary:** Dallke moved to adopt Resolution 2017-3 establishing the salaries of elected officials for 2017. Lalouette seconded and motion carried 3-0. There were no changes from the previous year.

**Outside boards:** Commissioners reviewed a listing of outside Boards where Marion County is represented by a Commission member.

Former Commissioner Dan Holub will continue to serve as a citizen representative on the Harvey-Marion County CDDO Board.

Lalouette stated that the Mental Health Advisory Committee meetings will fit best with her schedule. Dallke moved to appoint Lalouette to attend Mental Health Advisory Committee meetings. Novak seconded and motion carried 3-0. All three members are considered to be on this committee.

Dallke moved to continue his service on the Regional Solid Waste Authority Board. Lalouette seconded and motion carried 3-0.

Dallke moved to appoint Novak to the Central Kansas Regional Juvenile Detention Facility Board. Lalouette seconded and motion carried 3-0.

Former Commissioner Holub will continue to serve as a citizen representative on the Mid-Cap Board.

**Banks:** Dallke moved to deposit County funds in all financial institutions located within Marion County that are authorized by law. Lalouette seconded and motion carried 3-0.

Change orders affecting the 2016 tax roll were reviewed by the Board and signed by Chr. Dallke.

Acting Co. Counselor Susan Robson joined the session for attorney/client business. Before entering closed session for attorney/client business, Chr. Dallke opened the floor for public comments. No members of the public wished to speak. Robson requested an executive session for 10 minutes to discuss attorney/client business with the Board and Spencer. Dallke moved to enter executive session for 10 minutes for attorney/client business with Robson and Spencer. Lalouette seconded and motion carried 3-0. (9:32 a.m. to 9:42 a.m.) Open session resumed with no action.

**ROAD & BRIDGE:** Supt. Jesse Hamm joined the session with Chris Snook and Gerald Gilkey of Bergkamp Construction. A Road Maintenance Agreement was presented for approval. Both parties have reviewed the agreement and are satisfied. Dallke moved to approve the Road Maintenance Agreement as presented. Novak seconded and motion carried 3-0. The agreement was signed by Bergkamp and Chr. Dallke. Snook and Gilkey left the session.

Hamm reported that he attended the pre-construction meeting for the Bridge 224 project. The road will be closed January 20<sup>th</sup>, and demolition is scheduled to begin January 23<sup>rd</sup>. The project should be complete by September, 2017. The alternate route leading out of the area has received rock in preparation for the project.

Dallke asked about the procedure for inspections during the project, and Hamm stated that CFS engineers will be on site daily to perform inspections. Cost information on the project had been provided in the Commission packets for review. There were no questions. A discussion about the project that was slated for later in the session was canceled since there were no additional questions.

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

January 9, 2017, Continued

**ROAD & BRIDGE, CONTINUED:** Hamm noted that a railroad crossing in the area is too steep for the contractor to bring equipment over. They have asked for a cooperative effort between themselves and the County to change the grade of the crossing by bringing in dirt and gravel to build up the slope to a more manageable level. The contractor (Bridges, Inc.) will perform the dirt work if the County will provide the materials. Hamm stated that leveling the area will also benefit the County. Novak asked what the associated cost would be. Hamm said that it would cost about \$1,500.00 in materials. Dallke noted that if the County was also to provide the labor for the project it would probably cost twice as much. The consensus of the Board was to move forward with the work.

Hamm reported that he has budgeted \$6,500.00 for a new copier, but has the opportunity to purchase a refurbished one from a vendor for \$1,500.00. Novak asked whether Hamm had checked with any other companies, and he had not. The Board instructed Hamm to check with other companies for new prices as well as any refurbished units and bring the information back for a decision.

Hamm requested permission to advertise for an equipment operator position due to the retirement of Evan Stout. The Board had no objections.

Salary sheets were presented:

Derrick Ehlers, Equipment Operator I – six month raise from \$2,222.00/mo. to \$2,267.00/mo. effective 1/11/2017

Colton Brown, Equipment Operator II – six month raise from \$2,437.00/mo. to \$2,486.00/mo. effective 1/11/2017

Hamm and Dallke were slated to attend an on-site meeting for the EWP project on 190<sup>th</sup> in the afternoon and will provide a project update at the next meeting.

**2017 INSURANCE PROPOSAL:** Kakim Kunantaev, the Insurance Center and Alex Case, Case & Son Insurance, presented the 2017 insurance package for Marion County. The total premium including the liability policy for the dam is \$190,023.00. An overview of all coverages was provided by Kunantaev. It was noted that a change has occurred regarding the courthouse building coverage. It is no longer able to be covered just under the blanket policy, but is insured separately at a cash value of \$1.7 million. It would not be possible to replace the building for that amount. It was recommended that the County have an assessment done of the actual replacement value and consider additional coverage on the building. After further discussion, the consensus of the Board was to have an assessment performed. Dallke moved to approve the insurance package as presented in the amount of \$190,023.00. Novak seconded and motion carried 3-0. The courthouse insurance will be reviewed after the assessment is completed to determine if any additional insurance will be purchased.

**ECONOMIC DEVELOPMENT:** Russell Groves remained in attendance through this portion of the meeting. Dir. Teresa Huffman requested an executive session for 10 minutes to discuss personnel/performance. Dallke moved to enter executive session with Huffman for 10 minutes to discuss personnel/performance. Lalouette seconded and motion carried 3-0. (10:36 a.m. to 10:46 a.m.) Open session resumed with no action.

Huffman presented printed material about advanced manufacturing for review and asked if the Board would like her to email them information like this from time to time. No objections were stated. Dallke commented that some of our manufacturers have very high tech equipment and that the Board doesn't always know what every business is doing in the County.

Huffman stated that one of her goals is to visit each bank in the county and that she will also be making it a goal to visit a set number of businesses each month. Dallke said it would be a good goal for him personally as well to visit the businesses to show support and learn more about them.

Huffman will attend the Kansas Workforce Summit in Topeka later this month and will also be meeting with the Secretary of Commerce.

**MINUTES:** Dallke moved to approve the minutes of January 3<sup>rd</sup> as presented. Lalouette seconded and motion carried 2-0. Novak abstained because she was not yet seated for that meeting.

Novak suggested re-arranging the furniture in the Commission chambers for a better interaction with the public.

**RECORD OF PROCEEDINGS  
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January 9, 2017, Continued

**PLANNING/ZONING/ENVIRONMENTAL HEALTH:** Dir. Emma Tajchman reported that Mary Avery has resigned from the Planning Commission after many years. A new appointment is needed from District #3. Mel Fleming from the Peabody area has expressed interest in serving. Dallke moved to appoint Mel Fleming to the Planning Commission. Lalouette seconded and motion carried 3-0.

The Board expressed thanks to Mary Avery for her years of service and asked Tajchman to send her a token of thanks on their behalf.

**Straub Building CUP Application:** Tajchman presented a revised conditional use permit application for review and approval. Novak said that landscaping can be used very effectively as screening, and asked whether it should be added to the application as an option. The application also included a possible future communications tower, which specified a height of 25' or less. Dallke noted that may not be adequate. Possible site plans were reviewed. The suggestions of the Board will be added to the document. Tajchman noted that she planned to submit the application right away, and that the earliest hearing date would be February 2<sup>nd</sup>. The City Council could hear the matter on or before February 27<sup>th</sup>.

**ADMINISTRATIVE:** Salary change sheets were presented for approval:

Sharon Omstead, Planning/Zoning Assistant – six month raise from \$2,021.00/mo. to \$2,061.00/mo. effective 1/19/2017

Kassidi Luthi – promotion to Personal Property Coordinator from \$1,924.00/mo. to \$2,061.00/mo. effective 12/21/2016

Dallke moved to adjourn. Novak seconded and motion carried 3-0. Meeting adjourned at 11:22 a.m.

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Randy Dallke, Chairman

ATTEST:

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

RECORD OF PROCEEDINGS  
BOARD OF COMMISSIONERS  
MARION COUNTY, KS

January 9, 2017, Continued

RESOLUTION 2017-1

**A RESOLUTION ESTABLISHING THE MILEAGE RATE FOR COUNTY BUSINESS  
CONDUCTED IN PERSONAL VEHICLES.**

**WHEREAS**, Marion County has adopted and published Charter Resolution No.1 as provided in K.S.A. Supp. 19-101a et seq., exempting itself from K.S.A. 28-810(b).

**NOW THEREFORE BE IT RESOLVED** that the mileage rate paid to County officials and county employees traveling on county business, in personal vehicles, be established at 53.5 cents per mille, effective January 1, 2017.

This resolution, upon motion duly made and seconded, passed this 9<sup>th</sup> day of January, 2017.

**BOARD OF COUNTY COMMISSIONERS  
MARION, KANSAS**



*Randy Dell*  
Chairman

*Deanne R. Novak*  
Member

*[Signature]*  
Member

ATTEST:

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

**RECORD OF PROCEEDINGS  
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MARION COUNTY, KS**

January 9, 2017, Continued

RESOLUTION 2017- 2

**A RESOLUTION DESIGNATING THE MARION COUNTY RECORD AS THE OFFICIAL  
COUNTY NEWSPAPER OF MARION COUNTY, KANSAS.**

WHEREAS, K.S.A. 64-101 states that the Board of County Commissioners of each county shall designate by resolution a newspaper to be the official county newspaper; and

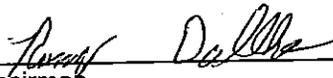
WHEREAS, the Marion County Record meets the legal requirements to serve in this capacity for Marion County.

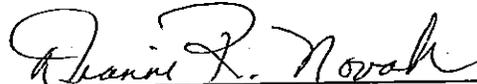
THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Marion County, Kansas designate the Marion County Record as the official county newspaper for Marion County. The Marion County Record shall remain the official county newspaper until such time as the Board designates a different newspaper.

ADOPTED on this 9<sup>th</sup> day of January, 2017.

BOARD OF COMMISSIONERS  
MARION COUNTY, KANSAS



  
Chairman

  
Member

  
Member

ATTEST:

  
Tina D. Spencer, County Clerk

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

January 9, 2017, Continued

RESOLUTION 2017-3

**A RESOLUTION ESTABLISHING SALARIES FOR ELECTED OFFICIALS  
OF MARION COUNTY, KANSAS FOR THE YEAR 2017.**

**WHEREAS**, Marion County, Kansas is a county municipal government and it is the duty of the County Commission to establish salaries on an annual basis for all elected officials; and

**WHEREAS**, non-elected department heads' salaries are set in accordance with the County's Compensation and Classification Policy; and

**WHEREAS**, the County Commission is now prepared to establish salaries for all elected County Officials.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Marion County, Kansas that the following salaries for elected County officials for the calendar year 2017 are hereby established effective January 1, 2017:

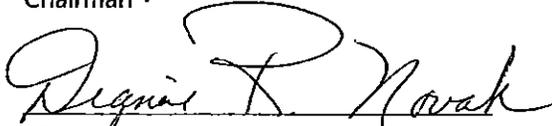
County Commissioner	\$18,096
County Clerk	\$53,508
Register of Deeds	\$43,008
County Attorney	\$53,964
County Sheriff	\$56,004
County Treasurer	\$51,012

ADOPTED by the Board of Commissioners of Marion County, Kansas this 9<sup>th</sup> day of January, 2017.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, KANSAS



  
Chairman

  
Member

  
Member

ATTEST:



Tina D. Spencer, County Clerk