

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

March 6, 2017

Commission met in regular session at the Marion County Courthouse at 9:05 a.m. with Chr. Randy Dallke, Comm. Dianne Novak and Comm. Lori L. Lalouette present. Also present were Co. Counselor Susan Robson, Co. Clerk Tina Spencer and members of the press. Kent Becker, Tom Britain and Mike Beneke were present for portions of the meeting.

ATTORNEY/CLIENT: Robson requested an executive session for 10 minutes for attorney/client business to discuss property acquisition with Spencer included. Dallke moved to enter executive session for 10 minutes for attorney/client business to discuss property acquisition with Robson and Spencer. Novak seconded and motion carried 3-0. (9:06 a.m. to 9:16 a.m.) Open session resumed with no action.

MINUTES: After receiving clarification about the County's vacation policy, Novak moved to approve the minutes of February 28th as presented. Dallke seconded and motion carried 3-0.

ADMINISTRATIVE:

- Change orders affecting 2016 and prior years' tax rolls were reviewed by the Board and signed by Chr. Dallke.
- A memo reminding employees to use their vacation hours prior to their anniversary date was reviewed.
- A letter to Gary Diepenbrock regarding his recent request for reimbursement for road rock was reviewed and signed by the Board.
- An early check was approved for processing: #44486 to Sims Insurance Services in the amount of \$290.00 for liability insurance – Health Dept.
- A questionnaire to send to agencies within the county pertaining to the radio upgrade project was reviewed.
- Spencer noted that the bid documents for the EWP project on 190th should be completed by the end of the week.
- A mapping project undertaken by the County Clerk's Office last year is in the final phases. Some property owners may experience changes in the taxing units on their property. A letter has been sent to notify those affected. Additional work may be needed as a final phase to ensure correct property descriptions are included on the County's tax software.
- Salary sheets were approved for Loyal Wedel and Derrick Ehlers – promotion to Equipment Operator II from \$2,267.00/mo. to \$2,437.00/mo. effective 2/21/2017, and also for Kevin Marler and Matthew Williams, full time EMT's – six month raise from \$12.00/hour to \$12.25/hour effective 1/1/2017.

BURNING REGULATIONS: Nathan Brunner and Leonard Jirak of Fire for Hire expressed concerns regarding proposed changes to burning regulations and the way Dispatch is interpreting the current regulations. Sheriff Robert Craft joined the session. Randy Eitzen was also present.

Brunner said he called in for permission to burn on March 2nd and was denied. Sustained wind was not over 20 mph, but gusts were forecasted in excess of 20 mph. He did not feel that he received knowledgeable answers to his questions regarding the regulations currently in effect. In addition, it seemed that multiple and sometimes conflicting factors were being consulted to determine whether burning would be permitted. Brunner said that Dispatch personnel seemed frustrated. Current regulations were discussed, and no changes have been implemented.

The new proposed regulations were discussed. Dallke asked Jirak if he could predict the amount of time a controlled burn will take. Jirak said that in some instances you can. Concerns noted by Jirak and Brunner were:

- The timing of the proposed changes, because burning season is already underway;
- Giving the fire chiefs the ability to halt burning in their areas may lead to opinion based situations where burning is not allowed;
- Water requirements should not be too restrictive – volume is more important than pressure;
- If the restrictions are too tight regarding burning, then landowners will be adversely affected;

Brunner provided the current burning resolutions from Dickinson and Harvey counties.

Jirak said that night burning is often ideal. Craft confirmed that current regulations do not prohibit night burning.

Craft commented that whatever changes are implemented they should be clear and concise and that the wording "at or above" should be included.

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BURNING REGULATIONS, CONTINUED: Eitzen agreed with many of Brunner's points. He said that wind direction is also a factor that must be considered, and noted that welding should be addressed in the regulations. He noted that welders had caused two recent small fires. Dallke noted that the new regulations establish a way for complaints to be filed.

Dallke asked whether those in attendance felt that the fire index was a good standard to use. Craft said it is doable, and that he is not against the fire chiefs having a say, as they know more about their specific area than he does.

SAFE HOPE PRESENTATION: Executive Director Jan Jones, Program Director Laura Patzner, Program Coordinator Heather Regier, and Outreach Coordinator Vickie Donaldson joined the session. Jones gave a presentation on Safe Hope, which is the new organization serving Marion County for sexual assault and domestic violence services. Marion County allocated \$2,500.00 to the Sexual Assault and Domestic Violence Center for 2017, but the agency no longer serves our citizens.

Safe Hope will be providing services for Harvey, Marion and McPherson Counties. Currently they are expanding their staff and looking for office space within each county. Much of their funding comes from the federal level. Jones noted that they provide services for children through a partnership with Heart to Heart. In addition to providing SADV services they also operate a crisis shelter. Services provided are advocacy, outreach services to victims, police response advocacy and community advocacy outreach. They focus on crisis intervention, providing resources for victims, and direct aid.

Jones said they are also undertaking a program to provide services for victims of the Excel shooting that occurred last year in Hesston.

Jones noted that the agency would be thankful to receive the \$2,500.00 that was allocated for SADV services in the 2017 budget. Lalouette moved to allocate \$2,500.00 to Safe Hope (which was previously allocated to SADVC). Novak seconded and motion carried 3-0.

ECONOMIC DEVELOPMENT: Dir. Teresa Huffman displayed banners featuring Marion County that she ordered from Baker Brothers Printing to use at trade shows and events. The banners replace a large backdrop that Huffman had used in the past. They are easy to transport and highlight the historical and recreational features of the county.

Huffman gave a re-cap of the Ladies Fair, which was held on February 25th. 20 vendors participated. Attendance was about half as much as the previous year. Comments of the vendors were generally positive.

On May 12-13th the city of Goessel will host an event for the Chisholm Trail celebration. They will have a chuck wagon supper, with supplies purchased from the local grocery store.

Workforce Area One will hold an informational lunch for area manufacturers to attend and learn about the services they provide. It will be held April 12th at noon at the Marion City Building. Huffman noted that the company can assist with on the job training for manufacturers as well as provide other services.

Huffman reported that a business in the County will be loaned \$10,000.00 through the County's USDA Rural Development loan program. Huffman offered to apply for an additional grant to receive more funding for this program, but was not overly optimistic that funds will be awarded because the agency is moving toward regional funding. However, Marion County has shown good success with the program, so there is a chance to receive funding. The Board had no objections to Huffman pursuing the grant.

Huffman suggested offering office space in the Main Street building to new businesses as "incubator" space. It would be a low cost option and may help a new business to launch successfully. The Board liked the idea, but had concerns about security, and the uncertain future plans for the building. Robson noted that the City of Marion is doing something similar in the basement of the City building.

Dallke moved to enter executive session with Huffman for 20 minutes to discuss personnel/performance. Novak seconded and motion carried 3-0. (11:07 a.m. to 11:27 a.m.) Open session resumed with a motion by Dallke to extend the session for 10 more minutes. Novak seconded and motion carried 3-0. (11:27 a.m. to 11:37 a.m.) Open session resumed with no action.

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COMMISSION DISCUSSION: Ambulance Service: Dallke provided articles from the Newton Kansan to those in attendance. One set of articles discussed some challenges that the city of Sedgwick had faced with its EMS Service. The City discontinued services due to staffing shortages. A later article showed that the city of Halstead was to offer services to Sedgwick through June 30th. Dallke noted that the article said the County was not responsible to create its own service or offer direct service to residents.

Planning/Zoning: Another article dealt with some planning and zoning rules and regulations that are similar to those in Marion County regarding agricultural lot splits. Dallke noted that Marion County faces difficulties with cumbersome regulations that make it difficult for landowners to develop their property. Dallke went on to say that he knows of an instance where a landowner owns $\frac{3}{4}$ of a section and built a house. The landowner wants to build another house, but the current regulations don't allow it without a plat being developed.

Dallke noted that he has heard from Planning/Zoning Director Emma Tajchman that there may be a way for the Planning Commission to address the subdivision regulations to bring them more in line with the County's needs. Dallke said that Tajchman will bring the issue before the Board at the next meeting and he encouraged the other Board members to consider what direction the County should take for the future.

Dallke said he was so frustrated with the current regulations in this area that he wanted to just make a motion to allow the landowner (whose identity he did not wish to divulge during the discussion) to build the house anyway. Novak said that she would second such a motion if it were made. Kent Becker noted that the Commission would see much more of this occurring if they were to allow the home to be built. A time frame should be included in which the Planning Commission should address the regulations if such a motion were to be made. Lalouette agreed that she would like to see the landowner permitted to build in this situation since they owned the majority of the section. Mike Beneke said the other side of the coin is demonstrated when you see multiple homes (including mobile homes) grouped closely together, like you see near Council Grove. The current regulations were designed to prevent those types of situations. Becker noted that there are fewer landowners now, and that they own larger pieces of property.

After additional discussion, Dallke moved to allow Gary Diepenbrock to build a home on his property without complying with the regulation requiring a plat; ~~however, a survey will be required.~~ Novak seconded and motion carried 3-0.

(removed per 03/13/17 Minutes)

190th EWP PROJECT: Robson presented a document for approval stating that the right-of-way acquisition for the project is complete and is adequate for the completion of the project. Dallke moved to approve the document assuring that all real property has been properly acquired and is adequate for the project. Novak seconded and motion carried 3-0. Dallke signed the document as plan sponsor.

COMMISSION PLANNING SESSION: Financial information was reviewed specifically in regard to the Employee Benefits fund, General fund and Ambulance fund. The 2017 budget was prepared as if the ambulance operating fund would experience a shortfall in revenue. Some of the operating expenses to fund the ambulance department were budgeted as expenses to the general fund to maintain flexibility.

Spencer noted that the Ambulance fund exceeded revenue predictions and expenses were under budget. In addition, revenue for 2017 was projected very conservatively. With the increased level of beginning cash and by increasing the projected revenue to more realistic levels, it is likely that the operating expenses that were cut during budget preparation can be fully funded through the Ambulance fund if an amended budget is filed. The money levied in the General fund will adequately fund the addition of four more full-time personnel, including employee benefits. Housing will still need to be addressed. Novak said that the City of Hillsboro might be able to offer a housing solution to keep an ambulance crew there. A temporary solution could be put in place while longer term planning occurs. Housing for the Marion crew still needs to be addressed. Ambulance department operations do not fall under the tax lid. However, building a new EMS facility would be subject to it.

Spencer cautioned against expanding sustained spending without adding additional revenue streams, as cash reserves will be used quickly. One possible solution for funding new projects and programs in the short term is to transfer less money from the general fund to capital improvement. Money currently being allocated to Extension may be utilized for another purpose in future years if an extension district is formed. FEMA reimbursements were discussed. Money received must be reimbursed to the same fund where the initial expense occurred.

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COMMISSION PLANNING SESSION, CONTINUED: The increased cost of health insurance premiums was discussed. Spencer explained that the formula used to calculate health insurance expense has not been updated to include the additional premium paid by the County toward family premiums. This, coupled with a large increase due to high claims resulted in a predicted shortage of \$60,000 to \$100,000 in the Employee Benefits fund. Spencer asked whether the Board would be interested in seeking other options for health coverage. Lalouette suggested offsetting some of the premium increase by charging employees a small amount of the premium so that the same coverage can be maintained. The Board agreed to hear a presentation from a broker to at least look at other options.

COMMISSION CONCERN: Novak said she received an email from an individual who observed additional items being hauled onto the property that is supposed to be getting cleaned up by Gavin Shields. Novak will ask Planning/Zoning/Environmental Health Director Emma Tajchman for an update on the case.

Dallke moved to adjourn. Novak seconded and motion carried 3-0. Meeting adjourned at 12:57 p.m.

After adjournment Chr. Dallke realized he did not give the opportunity for public comment. Robson advised that if someone wished to make a comment they could do so, as long as it did not involve a decision. Mike Beneke commended Lalouette for her effort and engagement over the last few weeks, saying she has demonstrated a good attitude and positive input to the meetings.

Randy Dallke, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk