

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

February 5, 2018

Commission met in regular session at 9:00 a.m. with Chr. Dianne Novak and Comm. Kent Becker present. Comm. Randy Dallke joined the session at 9:21 a.m. Also present were Co. Clerk Tina Spencer and members of the press. Present for portions of the meeting were: Co. Counselor Susan Robson, Gene Winkler, Tom Britain, Carl Stovall, Doug Lind, Mike Beneke, Chuck Seifert, Gary Diepenbrock, and Gordon Pendergraft.

**ADMINISTRATIVE:** An appointment to the Judicial Nominating Commission was tabled.

- Change orders affecting 2017 and prior years' tax rolls were reviewed and signed
- **Minutes:** Becker moved to approve the minutes of January 31<sup>st</sup> as presented. Novak seconded and motion carried 2-0. Becker moved to approve the minutes of February 1<sup>st</sup> as presented. Novak seconded and motion carried 2-0.
- Salary sheets for two part-time employees were tabled pending the pay plan review/study.
- Proposals for County Counselor services were reviewed. The bid award was tabled.

Comm. Dallke joined the session.

**COUNTY LAKE PLANNING DISCUSSION:** Gordon Pendergraft said several logs are washing to the edge of the lake and suggested that the Road & Bridge department remove them. No decision was made. The Board requested that someone from Kansas Department of Wildlife, Parks, and Tourism be scheduled on the agenda.

**ROAD & BRIDGE:** Supt. Jesse Hamm joined the session. Also present were Jason Reardon of Murphy Tractor and Jeff Bender of Foley Equipment. Bids for used loaders were reviewed:

Foley Equipment	2011 Caterpillar 930H with 2,366 hours	\$121,900.00
Berry Tractor	2014 Komatsu WA320 with 1,723 hours	\$125,900.00
Murphy Tractor	2015 John Deere 544K with 481 hours	\$137,890.15

Dallke moved to purchase the John Deere loader from Murphy Tractor in the amount of \$137,890.15. Becker seconded and motion passed 3-0.

**WEED/HHW/TRANSFER STATION:** Dir. Bud Druse presented the 2017 Annual Noxious Weed Report for review. The report was reviewed and signed by the Board. The Annual Noxious Weed Management Plan for 2018 was presented. Dallke moved to approve the 2018 Noxious Weed Management Plan. Becker seconded and motion carried 3-0. Other items discussed were enforcement procedures, spraying on private property, and the cost share program.

**TRANSFER STATION:** Bruce Boettcher and David Devore of BG Consultants joined the session. Co. Counselor Susan Robson joined the session. Several options were reviewed for both the proposed Washington Street site and the South Shop location.

Becker expressed concerns regarding the timeline for the election and the uncertainties of the project. Becker moved to cancel the upcoming election, allow the current ½ cent special sales tax to sunset, and continue moving forward on the development of a transfer station project. Novak seconded. Discussion ensued. Motion carried 3-0.

**DIAMOND VISTA WIND PROJECT:** Brice Barton, Greg Musil, and Amber Zuhlke of Tradewind Energy, Attorney Pat Hughes, Planning/Zoning Asst. Sharon Omstead, and R&B Supt. Jesse Hamm joined the session. Decommissioning and Road Maintenance Agreements and securities were discussed. Barton requested permission to submit building applications for the turbines prior to the execution of these agreements.

Novak moved to enter executive session to consult with legal counsel in regard to the project agreements pursuant to K.S.A. 75-4319b (2) for attorney/client business with Hughes and Robson present for 25 minutes (from 12:08 p.m. to 12:33 p.m.). Becker seconded and motion carried 3-0. Open session resumed with a motion by Dallke to extend the session for 15 more minutes (from 12:34 p.m. to 12:49 p.m.). Becker seconded and motion carried 3-0. Open session resumed with a motion by Novak that the County permit Diamond Vista to submit building permit applications along with a non-refundable application fee in advance of the execution of the Road Maintenance Agreement (RMA), provided that the County's time for processing applications submitted in advance begins when the RMA is executed, and that the Planning/Zoning Department is authorized but not specifically directed to begin processing the applications upon submission. Dallke seconded and motion carried 3-0.

Meeting recessed until 1:45 p.m.

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February 5, 2018, Continued

**EMPLOYMENT INTERVIEW:** Session resumed. Dallke was absent. An applicant for the Park & Lake Superintendent position joined the session. Novak moved to enter executive session to conduct an employment interview pursuant to K.S.A. 75-4319b (1) for personnel matters with the applicant for 30 minutes (from 2:00 p.m. to 2:30 p.m.). Becker seconded and motion carried 2-0. Dallke joined the executive session in progress at approximately 2:25 p.m. Open session resumed with no action.

**PUBLIC COMMENT:** Chuck Seifert and Gary Diepenbrock expressed concerns regarding the cost of the proposed transfer station. Seifert encouraged the Board to consider a less expensive project developed by Marion County contractors.

Novak moved to adjourn. Dallke seconded and motion carried 3-0. Meeting adjourned at 3:24 p.m.

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Dianne R. Novak, Chairman

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