

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

October 8, 2018, Continued

ROAD & BRIDGE, CONTINUED: Co. Counselor Brad Jantz joined the session at approximately 10:10 a.m. Hamm presented information about a new bridge program with funding available to Counties. After discussion, Dallke moved to have CFS Engineering submit an application on behalf of Marion County. Becker seconded and motion carried 3-0.

Becker moved to accept the bid from G&R Implement of Durham for two Bush Hog 3810HD mowers for a total of \$31,650.00. Dallke seconded and motion carried 3-0.

CO. APPRAISER: Co. Appraiser Lisa Reeder presented a quarterly update to the Board. No decisions were made. Notification was received from the State of Kansas that the Marion County Appraiser's Office has achieved substantial compliance.

CO. COUNSELOR: The proposed pay master agreement between Marion County and Marion County Community Economic Development Corporation was reviewed and discussed. Several changes and clarifications were noted.

Jantz requested an executive session to discuss pending litigation. Novak moved to recess into executive session to discuss pending litigation with Jantz, Spencer, and the Board present pursuant to K.S.A. 75-4319b (2) for consultation with legal counsel for 10 minutes (from 10:48 a.m. until 10:58 a.m.) with open session to resume in the Commission room following the closed session. Dallke seconded and motion carried 3-0. Open session resumed with no action.

The proposed budget and audit contract with Swindoll, Janzen, Hawk & Loyd was discussed. After discussion, Novak moved to stay with Swindoll, Janzen, Hawk & Loyd, LLC for the preparation of the budget and to seek bids from another firm to conduct audits. Becker seconded and motion carried 2-1. Dallke opposed.

EPM TEMPERATURE CONTROL SYSTEM PRESENTATION: Ben Trout, III presented a feasibility study regarding energy usage at the courthouse and encouraged the Board to move forward with engineering and implementation of a computerized temperature control system. Trout estimated the implementation cost to be \$72,333.00 to \$101,266.00. No decisions were made.

PERSONNEL DISCUSSION: Novak moved to recess into executive session to review employment applications (for approximately 25 minutes) until 12:00 noon with Counselor Jantz and the Board present pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with open session to resume in the Commission room following the closed session. Becker seconded and motion carried 3-0. Open session resumed with instructions given to the County Clerk to schedule a special meeting for Friday, October 12th to conduct an employment interview and review additional applications.

Becker moved to adjourn. Dallke seconded and motion carried 3-0. Meeting adjourned at 12:02 p.m.

Dianne R. Novak, Chairman

ATTEST: _____
Tina D. Spencer, County Clerk

RECORD OF PROCEEDINGS
BOARD OF COMMISSIONERS
MARION COUNTY, KS

October 8, 2018, Continued

Resolution 2018-30

EXHIBIT D

LESSEE RESOLUTION

RE: Lease With Option to Purchase Agreement dated as of September 28, 2018, between Tampa State Bank (Lessor) and Marion County, Kansas (Lessee)

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held 10/8/2018, the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Lessee as Follows:

1. **Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Lease With Option to Purchase Agreement dated September 28, 2018, between Marion County, Kansas (Lessee) and Tampa State Bank (Lessor).
2. **Approval and Authorization.** The Governing Body of Lessee has determined that the Agreement, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approved the entering into of the Agreement by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement on Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related document, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement.

Authorized Individual: Dianne Novak, Chairperson and/or Tina Spencer, Clerk

3. **Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

By: *Dianne Novak*
Dianne Novak

Title: Chairperson

Attested by: *Tina Spencer*
Tina Spencer

Title: Clerk

