

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

February 4, 2019

Commission met in regular session at 9:00 a.m. in the Commission chambers at the Marion County Courthouse with Chr. Kent Becker and Comm. Dianne R. Novak present. Comm. Randy Dallke joined the session at 10:12 a.m. Also present was Co. Clerk Tina Spencer. Present for portions of the meeting were Co. Counselor Brad Jantz, Yvonne Cushenbery, Tom Britain, Henry Ethem, Dave Crofoot, Carl Stovall, Lloyd Meier, Jonah Gehring, Don Stenzel, Sharon Omstead, Brad Penn, and members of the press.

**ADMINISTRATIVE:** Becker moved to approve the minutes of January 28<sup>th</sup> as written. Novak seconded and motion carried 2-0. Novak moved to approve the minutes of January 31<sup>st</sup> as written. Becker seconded and motion carried 2-0.

- Change orders affecting 2018 and prior years' tax rolls were reviewed and signed by the Board.
- Becker moved to appoint Tim Makovec as Grant Township Clerk. Novak seconded and motion carried 2-0.

**REGISTER OF DEEDS:** Register of Deeds Rebecca Wingfield presented a quarterly update to the Board. Wingfield requested that the Board consider ongoing off-site storage needs.

**PUBLIC COMMENT:** Lloyd Meier questioned whether the Board can meet with only two Commissioners present since the County is going to a five-member Board. Clerk Spencer indicated that Counselor Jantz confirmed by phone prior to the meeting that the quorum requirements will not change until November.

**HARSHMAN CONSTRUCTION – ROCK DISCUSSION:** Warren Harshman, Sam Harshman, and Frank Rockers of Harshman Construction joined the session. The quality of rock available from the Florence quarry was discussed. After extensive discussion, the Commission requested cost information for stockpiling harder rock from other Harshman locations at various sites across the County to save on transportation costs. The general consensus between the Board and W. Harshman was that the County prefers to utilize the higher quality rock in most instances. W. Harshman expressed willingness to work with the County to provide a higher quality product, and will request information from R&B Supt. Jesse Hamm regarding possible stockpile locations. Pricing will be discussed once the locations are known. The Board also discussed utilizing quarries in the north to supply rock for the north part of the County. No official action was taken.

**TRANSFER STATION:** Dir. Bud Druse joined the session. Comm. Randy Dallke joined the session. Possible changes to the building project for phase one of the Transfer Station were discussed. Dallke moved to change from floor heat to radiant heat. Becker seconded and motion carried 3-0. Dallke moved to change to insulated high track overhead doors. Becker seconded and motion carried 3-0. Official change orders should be forthcoming from the project engineer.

**COMMISSION REVIEW OF EMPLOYEE EVALUATIONS:** Becker moved to recess into executive session to review employee evaluations pursuant to K.S.A. 75-4319b (1) to discuss personnel matters of non-elected personnel with just the Board present for 30 minutes (from 10:30 a.m. to 11:00 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.

**CO. COUNSELOR:** Counselor Brad Jantz joined the session. The final revised sales agreement for the Main Street (Bowron) building was presented. Becker moved to approve the sales agreement between the Board of Marion County Commissioners, Seller, and the Marion Advancement Campaign, Buyer, for the East 45' of lot 16, Millers 1<sup>st</sup>, commonly known as 230 E. Main St., Marion. Dallke seconded and motion carried 3-0.

- The Expedition Wind project was discussed. The consensus of the Board was to retain Pat Hughes for legal services for the project. Jantz will contact the project's attorney to set up a meeting with the Board and to relay the information about the County's representation.
- The Co. Engineer position was discussed. The Board agreed to review job descriptions and try to decide what they want to require for the position, which will be placed on the agenda for the next meeting. Options are to hire an employee or contract with a firm for services.
- Health insurance was discussed. The County Clerk's office is providing census information to two brokers for options to be presented to the Board for future consideration.

**PUBLIC COMMENT:** Yvonne Cushenbery stated that property owners should be told how loud the windmills are before they sign any agreements. Jonah Gehring asked several questions.

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February 4, 2019, Continued

**CO. COUNSELOR:** Counselor Jantz requested an executive session to discuss potential litigation for 15 minutes. Becker moved to recess into executive session to discuss potential litigation pursuant to K.S.A. 75-4319b (2) for attorney/client business with the Board and Jantz present for 15 minutes (from 11:46 a.m. to 12:01 p.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 a motion by Becker to recess into executive session to discuss potential litigation pursuant to K.S.A. 75-4319b (2) for attorney/client business with the Board and Jantz present for 10 minutes (from 12:02 p.m. to 12:12 p.m.) with open session to resume in the Commission room following the closed session. Novak seconded and motion carried 3-0. Open session resumed with no action.

Jantz requested an executive session to discuss personnel/performance for five minutes. Becker moved to recess into executive session to discuss personnel/performance pursuant to K.S.A. 75-4319b (1) for personnel matters of non-elected personnel with Jantz and the Board present for five minutes (from 12:13 p.m. to 12:18 p.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.

Jantz' contract as County Counselor was discussed. Becker moved to extend a renewal to Brad Jantz for a one year period to serve as County Counselor with the pay subject to review and approval. Dallke seconded and motion carried 3-0. The current agreement is in place through the end of March, 2019.

Becker moved to adjourn. Dallke seconded and motion carried 3-0. Meeting adjourned at 12:26 p.m.

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Kent Becker, Chairman

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