

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of the Planning Commission Meeting of Jan. 23rd, 2023

Item 1. Call to Order

Item 2. Approval of the Agenda

Commissioner Johnson moved to accept the agenda as presented and Vice Chair Scherer seconded.

Votes were taken by Ayes and Nays as follows:

Tim Benyshek Chairman	Matt Scherer Vice Chair	Tiffany Asher Secretary	Stephen Phillips	Paul Johnson	Greg Hazen	Vacant
DNV	Aye	Aye	Aye	Aye	Aye	---

Motion Passed 5-0

Item 3. Roll Call

Tim Benyshek Chairman	Matt Scherer Vice Chair	Tiffany Asher Secretary	Stephen Phillips	Paul Johnson	Greg Hazen	Vacant
PRESENT	PRESENT	PRESENT	**PRESENT	PRESENT	**PRESENT	---

**** Commissioners Phillips and Hazen joined after the start of the meeting, prior to the staff report for the first case.**

Item 4. Approval of the November 28th, 2022, meeting minutes.

Chairman Benyshek asked if there were any corrections for the minutes.

Commissioner Johnson: So, I would move approval of the minutes and with a with a couple of compliments. I want to thank staff for all the work that they do to document the discussion. And I mean, the depth of you know, what we're trying to do here at the Planning Commission is to lay a groundwork for our decisions on these cases. And I, you know, especially want to thank Dustin for the background that he offers and kind of, you know, guiding all of us through the technicalities of you know, how these regulations fit together. So, I want to make a motion for approval.

Vice Chair Scherer seconded.

Votes were taken by Ayes and Nays as follows:

Tim Benyshek Chairman	Matt Scherer Vice Chair	Tiffany Asher Secretary	Stephen Phillips	Paul Johnson	Greg Hazen	Vacant
DNV	Aye	Aye	Aye	Aye	Aye	--

Motion Passed 5-0

Item 5. Public Hearing

Chairman Benyshek explained the Commission meeting procedures to the public and opened the public hearing. Chairman Benyshek asked if any Commissioners currently have any ex parte communication with the applicants or any conflict of interest towards this case that would exclude them from giving a vote this evening. There were none.

- I. **CU2023-01:** A request to consider a Conditional Use Permit application for a Dog Kennel and Training Facility. This request is being brought by Kyle Moomau of 6608 Clark Rd, Meriden, KS 66512. The request is located at the same address.

During this time, staff asked who was here for the first case. The applicant, Kyle Moomau was present via Zoom. Lee Clark was present via Zoom and did not speak.

Chairman Benyshek asked staff to give their report. Staff gave their report. After their report, Chairman Benyshek asked the board if they had any questions for staff.

Chairman Benyshek: Thank you, Dustin. We will open it up for comments and questions of Commission members for staff here. I just have one, right off the top here, Dustin. So obviously, this is a conditional use permit application. But I know we have a site plan here with different phases. So, does this conditional use permit cover basically the construction for you know, phase two here or is that's something that has to come back to us?

Dustin Parks (Staff): No. I apologize. I should say yes and then no to your questions in order. Yes, this conditional use permit, if approved, would cover whatever phases are on the development plan. Mr. Moomau would still have to come back through our office to do the building permits for whatever's approved, structurally. But as far as whether or not he would have to come back to do another process? No. Now if he decides to build a third or a fourth building in relation to this, then yes, because that's not on the current development plan.

Chairman Benyshek: And then I presume, like with the environmental consult, they include phase two being in their analysis of the sewer on that, or does that have to be reconsulted when that's done?

Dustin Parks (Staff): No, that was my understanding, is that, with the expansion as well.

Chairman Benyshek: Alright, that's all I had at this time. Other Commission members? Greg, go ahead.

Commissioner Hazen: Okay, kind of to carry on about your environmental question. I'm a little confused on trying to make these numbers match what is going on. So previously, they were permitted for 20 or 18, right?

Dustin Parks (Staff): Correct. Previously, they were permitted for 18.

Commissioner Hazen: Yeah. So, if you go to page 29 in your packet, the, now wait a minute, well, 29 is the water department, so they talk about 20 more indoor kennels, but that's not actually what's going on, is it?

Dustin Parks (Staff): So, the existing use is, from what the water department had said, was the existing use was okay, and that it should be able to support an additional 20 indoor kennels. And phase two, that structure that's on the development plan would be those additional kennels.

Commissioner Hazen: Okay, so now we go to I believe it's page 31, the environmental consult. That one says.... I was told you are only adding two more indoor kennels.

Dustin Parks (Staff): I believe that was a typo.

Commissioner Hazen: It's not even like the number two and they left off the zero.

Dustin Parks (Staff): No, I know.

Commissioner Hazen: They spelled out two, so that technically is not addressing what we've got going on here is it?

Dustin Parks (Staff): No, not specifically. But I believe Mr. Moomau could describe what system he has currently and how he talked or what he talked about with the Health Department?

Commissioner Hazen: Well, I understand that. But we've got a letter in front of us from the environmental department that says two. So...

Dustin Parks (Staff): I don't know if he meant maybe two additional structures. It wasn't clarified.

Commissioner Hazen: Well, he says two more indoor kennels.

Dustin Parks (Staff): I'm aware, and I can't speak to it. I'm sorry. I don't know.

Chairman Benyshek: We'll get some more clarification from the applicant here. But duly noted Greg. I understand your concern there.

Commissioner Hazen: Okay, I had just one more question. So, in the old conditional use plan regarding the breed of dogs and it refers to a Jefferson County resolution number 97-32. Is that still enforced?

Dustin Parks (Staff): It is still an active resolution. I can't speak to whether or not the County Attorney enforces it. But it is still an active resolution on the books.

Commissioner Hazen: Okay. And you didn't see a need for continuing screening requirements?

Dustin Parks (Staff): It is my impression the screening requirements were met previously under the old conditional use. So, I don't believe they'd have to be carried forward. But if the Planning Commission feels like they should be it is more than welcome to add one.

Commissioner Hazen: Okay, that's all I had, but I am kind of concerned about the Health Department letter.

Chairman Benyshek: Tiffany, I know you had your hand up there, so fire away.

Secretary Asher: I just had the exact same question as Greg about whether or not the Health Department/Water Department had the same numbers. So, it was the same question.

Chairman Benyshek: Okay. Paul.

Commissioner Johnson: Just for my clarification, what's the role of the Kansas Department of Agriculture in terms of licensing this facility versus KDHE.

Dustin Parks (Staff): I'm actually unfamiliar with the state level permitting. That is something you'd have to ask Mr. Moomau while he was previously permitted under them. My rough top-level knowledge of it is that KDHE handles the waste aspect of it and then the KDA handles the actual I would say care for the animals the actual condition the animals live in beyond the waste management side. So, you know whether or not they have enough room to move, they are, you know, being properly fed and cared for that kind of thing. But you'd have to ask Mr. Moomau.

Commissioner Phillips: That was my understanding also.

Chairman Benyshek: Go ahead.

Commissioner Johnson: I think I want to follow up on what what Greg asked about. So, in the previous conditional use, there was a clear definition of breeds, types of dogs shall not be housed at the site. So, we're doing away with that?

Dustin Parks (Staff): The type of use that Mr. Moomau is requesting is different. He is no longer requesting to train military and police dogs. He specifically had mentioned wanting to train hunting dogs and we don't have breed bands as much as; we don't need to enforce a breed ban conditionally since we have resolutions in place that do the same thing. I feel that would be redundant.

Commissioner Johnson: So, we have County accepted resolutions as to a type of breed that can be in kennels in Jefferson County.

Dustin Parks (Staff): We have violent breed resolutions, yes. Because I know we're going to get more questions on this I'll just go ahead and pull it up. Sorry, it'll take me just a second here. We have some...

Dustin Parks (Staff): Just because they laid it out earlier doesn't mean they weren't fans of redundancy.

Vice Chair Scherer: Sometimes I think I'm tilting at windmills, but I think I've got Dustin convinced now.

Dustin Parks (Staff): Careful Matt, you'll ruin it. I'll become the redundancy department of redundancy. Okay, let's see. I apologize, we have an old violation that has a lot of this information in it. And I was just going to pull that up because it kind of has some of has the resolution specifically laid out and I can tell you kind of what the resolution was referenced to by the County Attorney because it specifically involved a violation. Now again, not for Mr. Moomau's property, this is a completely different thing. But it references that resolution specifically.

Commissioner Johnson: Which is 97-32. Is that the resolution we are talking about?

Dustin Parks (Staff): Yes. There we go. Okay, so the resolution pertaining to vicious dogs, I'm going to go ahead and share my screen again. So let me do that right quick. Okay, so, this is the resolution for prohibiting the ownership of certain vicious dogs. And so, this like I said, this is a current active resolution in Jefferson County, and it shall mean include any dog which by virtue of its breeding, training and characteristics, and behaviors, or other factors, the owner or custodian there of knows or has reason to know, has a propensity, tendency or disposition to attack unprovoked, to cause injury or otherwise endanger the safety of human beings. Rebuttable presumption, there shall be a rebuttable presumption that a pit bull dog is a vicious dog, and it lists those breeds out. Bull Terrier breed, Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, dogs of mixed breed or others than the ones above listed which breed or mixed breed is commonly known as pit bulls. And it lists those out and then it has insurance requirements. And then ownership of certain vicious dogs is prohibited, it shall be unlawful to keep or harbor or own possessing the vicious dog, which....

Chairman Benyshek: That's enough, Dustin, I'm going to interrupt you, I don't need you to read the whole thing.

Dustin Parks (Staff): But what I was getting to with this was that it only lists out the pit bulls, which means those are the only ones that we have legal recourse to say a person cannot have. That's why I didn't carry that over.

Chairman Benyshek: My point is back to redundancy because it comes back to enforceability to me and the people who are going to be enforcing this where we already have a resolution in place, the County is going to be law enforcement. I can tell you I don't think any of the Commissioners here are going to go check on site, whether they're raising wolves or pit bulls or that, so I'm perfectly fine with not including that specific language from the old conditional use permit to the new one. So, we're spinning tires on it. So, any other questions?

Commissioner Johnson: So, one more. So, we're moving from 18 dogs to 40 dogs, this new conditional use, right?

Dustin Parks (Staff): Potentially up to 40 dogs, correct.

Commissioner Johnson: So, looking at the placement of this facility, how many actual residences are within a quarter or a half a mile?

Dustin Parks (Staff): Which one? Within a quarter or within a half mile?

Commissioner Johnson: Well, sort of circling this, this facility now. How many neighbors are within a limited distance?

Dustin Parks (Staff): I can tell you how many neighbors are within the notification area. Specifically, the notification area had, let's see, not counting the Army Corps, 5 different property owners not counting the applicant or the Army Corps. So, there were five different property owners within 1000 feet of the entire 20 acres or 19 acres. And then I can actually show you what that looks like. Because we actually did both pieces since the back piece kind of had some with the Army Corps in there. So, I'll share my screen one more time real quick. That's what the buffer looks like. So those are all the properties and property owners within 1000 feet. Did you see that? Did it pop up okay? Okay.

Commissioner Johnson: Quick last question. From the presentation by the owner, there will not be any Sunday hours?

Dustin Parks (Staff): By the statement of intent, correct? No, Sunday public hours. Okay,

Chairman Benyshek: Okay, any further questions before we move on to the applicant here? All right, seeing none, Mr. Moomau if you would like to make a brief presentation or statement of intent here, by all means, let's get you camera ready here.

Kyle Moomau – Applicant: So, I would like to address the KDHE, the part of the questions that were brought up. So, there's a little confusion here, the indoor kennels that are actually going to be hooked to the sewer system, there's only two additional kennels. The ones that that may go into the other building, or that are into the lean-to part on the back of the building are not hooked into the sewer system. They're going to be washed down into a gravel area, like a leach field. The solid waste will be removed and buried. Okay, does that clarify your questions, Mr. Hazen?

Commissioner Hazen: Go ahead and continue. I'll go back and reread the letter.

Kyle Moomau – Applicant: Okay. All right. And so, the building that's there now, the lean to that would be on the back would be capable of housing an additional 14 dogs. The part that's hooked into the into the septic as it says from the last conditional use. We never got above 10 dogs on that just because I like to have the dogs have more space than what is required by the law. I'm aware of Department of Ag Kansas Department of Ag and their inspection program. And you know KDHE's concerns as far as solid waste or waste removal. I've been involved in the industry for the last 20-28 years. I worked for the State Patrol training dogs for multiple agencies. That was my main job was just training. Training and housing the dogs, as a trooper and I've been working since retiring as a contract trainer for the Marine Corps training trainers and how they how they take care of dogs and that type of thing. So that's kind of my background. Dustin was pretty accurate about you know what what we want to do out there is bird dogs and duck dogs. I still do the police type dogs but I do that in Texas as a contract trainer. I'm just getting too slow to do that all the time. So, bird dogs is a little more my speed now. I don't have anything really beyond really what Dustin said. Our intent is pretty much spelled out. If I can address any concerns I'd be happy to.

Chairman Benyshek: Okay. Well, thank you for that. We'll turn it back over to Commission members here briefly if we have any further questions, so go ahead, Matt.

Vice Chair Scherer: How long did you operate under the old permit?

Kyle Moomau – Applicant: I think we were, the reason we got into that, at that time was, we had, we had some other states dogs that we were training. And then we needed to house more than, you know, what I felt comfortable with just doing like, without any without any kind of. So, I didn't want to get crossways with the County, I guess it's what I'm trying to say. And then we were also doing contract dogs for the war at that time. So probably four years, I would say, we had dogs in and out pretty steady.

Chairman Benyshek: Are there further questions?

Commissioner Johnson: So, can you speak to, when you say bird dogs, can you speak to the breeds that will be your primary focus at this facility?

Kyle Moomau – Applicant: You know, my, the dogs that I intend to train on my own would be Shorthairs, German Shorthairs, or wired hair German shorthairs and labs. But, you know, it's, it's, there'll be a commercial operation where if somebody wants to bring their dog in for training, it may be a pointer or a setter of some sort, but first and foremost, in my mind will be kind of what was in the paragraph about I don't need any vicious dogs around. So that's, that's going to be one of the conditions of anybody bringing a dog to the facility is it's, it can't be a dog who exhibits unwanted vicious behavior.

Commissioner Johnson: Okay, is that pretty clear in your mind or for the County as to what defines vicious dogs or breeds?

Kyle Moomau – Applicant: Well, I mean, the vicious breeds that the County spells out, you know, that's County resolution, and we'll we'll certainly abide by that it's not not an issue. Part of my job over the last 20 plus years was selecting dogs and, and testing dogs to ensure that they're not that type of a dog. So it's generally pretty, pretty clear when you're doing the testing. If the dog is going to exhibit that type of behavior, and if it exhibits behavior during the training, then you give the person their money back and tell them to come get their dog. We just don't need dogs around that are going to chew people up or other dogs for that matter.

Chairman Benyshek: Further questions? Okay, well, thank you. Okay, so at this point in time, we'll move into the public comment section of our presentation here. So if there's anybody present on the Zoom meeting or in our audience here that would wish to speak in favor of the application? Now is, now is that time. Any takers? Okay. Seeing none, we'll move on to the second portion and that is if anybody's on the Zoom call or in attendance this evening that would like to speak in opposition of the application. Please speak up or make yourself known here. Okay, well, I would offer an applicant rebuttal but since there is nothing to review there, we'll skip that too. So we'll close the public comment portion of the meeting here and turn it back over to Commission members only for further discussion and maybe seek a motion for approval, or we need to make some changes, move forward. But any further comments or questions of committee members here?

Dustin Parks (Staff): I actually wanted to address the Health Department thing. And I owe, Greg, and Tiffany, since she asked the same question, an apology, the typo was mine. I'm looking back through my notes. And I wrote down 20. And I just put it in the spot and my notes where I was talking about the additional building. And that's my fault. I should have clarified that. So I wanted to put that out there that that one's on me. And I have in my notes here after talking with, with Kyle that he's going to add two additional indoor kennels to the existing structure, and that he let the Health Department know that. But then I was I had that mixed up with my notes about the new building. So that's, that's my fault. I should have clarified that in my staff report.

Chairman Benyshek: Well, to clarify more, Dustin, so we're, we're we're adding I think we got the fact we're only adding two more kennels in the existing building.

Dustin Parks (Staff): You're adding two in the existing building, two more kennels. And those two kennels are okayed by the Health Department in regards to the existing sewer system. But the new building will not be attached to that sewer system. And that's where my notes were crossed. So that's that's my fault.

Chairman Benyshek: Okay. I understand that. And Kyle has a quick comment here. Go ahead.

Kyle Moomau – Applicant: So the the addition of the two kennels, those those particular kennels are solely inside the structure, and they don't have any external portions to it and those will be added to the septic. However, there there's the lean to portion on the back of the building that already exists. Plus, there's going to be an expansion of that building if this is approved. That that would that would house the additional 18, potentially 18 kennels, without ever getting into the second building. But it won't be hooked up to the septic system. I wanted to make sure that I didn't get crossways with you.

Chairman Benyshek: No, no.

Dustin Parks (Staff): And that's, and that's where I was trying to clarify was that I had written down in my notes that both of the two additional inside and the other 18 of the lean to would be connected to the system. So that that's why I wanted to clarify. So I apologize for the big mix up and confusion there. As much as I would like to blame the Health Department for that one. That one's on me.

Chairman Benyshek: Any further questions, comments, concerns by Commission members? Paul.

Commissioner Johnson: Dustin, this may come to you, but so what's the status of, is Jefferson County resolution number 97-32 still in effect?

Dustin Parks (Staff): As I said towards the beginning of the meeting, yes, it is still in effect, but I cannot talk to the efficacy of the County Attorney's prosecution of it, because I don't know if it's been enforced, because that's kind of a criminal thing like Tim was talking about. That's more of a law enforcement thing than it is a zoning thing. So, it's not like vicious dog stuff comes across my desk. And then we go enforce it. So that's the law enforcement thing, but it is still an active resolution. And the reason I know that is because we did have a complaint about a number of dogs on a property. And some of them attacked some animals. And so that vicious dog resolution was brought up again, that was a separate, the vicious dog portion was separate from what we had to handle. So I know it's still active and on the books, it's just I don't know how frequently it's enforced.

Commissioner Johnson: And are the breeds that were listed in the 2011 conditional use, the particular breeds from Pit Bull Terriers, Bull Terriers, wolf hybrids.

Chairman Benyshek: That's the same list he put on the screen.

Dustin Parks (Staff): Correct.

Commissioner Johnson: And what you're saying is that if there's any violation of that, then that's strictly in your mind on a complaint basis.

Dustin Parks (Staff): That's a sheriff's department basis. That's a call the police department basis. Yes. That's not a zoning thing for the vicious dog side of things.

Chairman Benyshek: I mean, the cause and effect would be as if they get multiple complaints about a vicious dog. Law enforcement is going to take action and eventually, I would assume it would lead to a violation.

Dustin Parks (Staff): So yeah, that bleeds into a violation for a conditional use permit. It doesn't initiate with us. But we would definitely be, you know, a part of the discussion, because it's conditional use based.

Chairman Benyshek: Okay. Any further questions. Seeing none, then I guess I'm looking to the committee members for either a motion of approval, with the stated conditions or do we have some conditions. Either way, I'm looking for some recommendations here. Sorry Tiffany, I didn't see you there.

Secretary Asher: I'm just trying to scroll back to see what the motion was. Okay. So, I make a motion to approve the application CU2023-01, with the conditions listed in the staff report. How's that sound?

Chairman Benyshek: If I heard you right, that's a motion basically, make a motion to approve CU2023-01 with the five staff recommended conditions in there?

Secretary Asher: Yes, please.

Chairman Benyshek: Okay. Okay. All right. It has been moved. Would I have a second?

Commissioner Phillips: I second.

Chairman Benyshek: Okay. It's been motioned by Secretary Asher and seconded by Commissioner Phillips. So, we'll go ahead and take it to a vote.

Votes were taken by Ayes and Nays as follows:

Tim Benyshek Chairman	Matt Scherer Vice Chair	Tiffany Asher Secretary	Stephen Phillips	Paul Johnson	Greg Hazen	Vacant
DNV	Aye	Aye	Aye	Aye	Aye	---

Motion passed 5-0

- II. **PR2023-01 and Z2023-01:** A request to consider the Preliminary and Final Plat of the Hamm Subdivision, a four-lot subdivision, as well as a request to rezone Lot 1 to Suburban Residential (SR), Lot 2 to Rural Residential (RR), Lot 3 to Planned Medium Industrial (IP-2) and Lot 4 to Agricultural (AG). This request is being brought by Ryan Blosser, President of Hamm Inc, as well as Rural Water District #7 and is generally located on the Northeast corner of US 59 Hwy and US 24 Hwy.

During this time, staff asked who was here for the first case. The applicants, Ryan Blosser/ President of Hamm, Inc. and Mike George/ Manager of RWD #7, and the applicant’s surveyor, Jess Noll/ Landplan Engineering were present at the meeting. Eric, Sonia & Danielle Lawrence, Leah Lawrence, Landon Stephens, and Doug Tilghman were all present for the meeting. Chad Tenpenny and Melody Lawrence were present via Zoom.

Chairman Benyshek asked staff to give their report. Staff gave their report. After their report, Chairman Benyshek asked the board if they had any questions for staff.

Chairman Benyshek: All right, thank you, Dustin. Well, questions by Commission members or staff here? Anyone, any takers? Matt.

Vice Chair Scherer: Dustin, this is kind of a second question, I guess, but Lot 1, you're proposing to rezone to Suburban Residential, I assume because of the size?

Dustin Parks (Staff): Correct.

Vice Chair Scherer: But the usage is sort of industrial, I guess.

Dustin Parks (Staff): One of the applicant’s representatives is here, the surveyor, Jess Noll. He and I actually sat down and almost had a two-hour long conversation about what we should propose that zoning to. To the point where I looked into whether or not Kansas considers water from a utility as a commodity. Because if it's a commodity, then that qualifies as fabrication and the creation of a commodity under IP-2. But it doesn't. Water itself, is a commodity, but water proposed by utility isn't. And utility isn't considered a commercial use in our zoning, unless it goes under conditional use permitting. So since it's an existing use, the utility is there. And they're not expanding what they're utilizing, Suburban Residential is really the only thing that fit.

Vice Chair Scherer: I'm sorry, I asked. Thank you.

Chairman Benyshek: Any further questions by Commission members here? Okay, go ahead, Matt.

Vice Chair Scherer: What difference would it make, as far as what Hamms can do, if they're operating under the unapproved conditional use permit as opposed to the proposed rezoning?

Dustin Parks (Staff): So, it's kind of pluses and minuses in both columns. The unapproved conditional use permit means that they could continue using the Ag ground up north for storage, because they had been doing that for a long time. They can, you know, store equipment up there and that sort of thing. With the rezoning, that goes away. They can't do that anymore. That has to be used solely for agricultural uses, or residential uses, it can no longer be used for commercial uses. So all that equipment and everything that they've been moving, would have to finally be moved off that hill, off the old quarry ground. But on the flip side of that, if they were to say put up right now, if this goes through, and it's not approved, and they were to say, want to put up a new building, that triggers a development plan amendment and conditional use permit hearings, and all that. The IP-2 allows them a little bit more freedom of their existing use, in terms of they only have to ask us for a building permit and the County Commission to alter the development plan versus having to go through a public hearing for updating conditional use permit. But again, they're restricted to whatever's in that list and whatever their active uses are beyond anything that they have to get permission through the County Commission and the Planning Commission for. So, they're allowed a little bit more freedom to do things like put up a building for their existing uses, but they're also restricted in that they can't use the whole property for their current industrial use, which they've been doing. So, kind of pluses and minuses in both columns.

Chairman Benyshek: Okay. Paul.

Commissioner Johnson: So, Lot 2 is you could characterize as crop ground right?

Dustin Parks (Staff): Crop ground. Yes.

Commissioner Johnson: And then Lot 4 is ag ground.

Dustin Parks (Staff): Correct. And I was calling it crop ground just to separate it. It technically would be zoned Rural Residential, but just for, people from around the area can, you know, it's kind of hard to call that hill where the trees and stuff are as Ag ground. So, I was just referencing it as crop ground for the sake of the people who are around there. So, they knew which piece I was talking about.

Commissioner Johnson: So how much of 2 or 4 is pasture ground?

Dustin Parks (Staff): 2 is entirely crop ground and I imagine Lot 4 is not used as entirely pasture ground, but because there's some storage of old industrial equipment stuff up there, but you'd have to ask the applicant of how much they intend to use, or if they even intend to keep it.

Commissioner Johnson: So, if this goes through, then Lot 2, if they so choose, could request a building code for a residence?

Dustin Parks (Staff): Yes.

Commissioner Johnson: And for Lot 4 then, if they so choose, they could do an ag lot split on it?

Dustin Parks (Staff): No. So, properties that are in a subdivision do not qualify for ag lot splits. So, if this goes through, even though it's 160 plus acres, because it's already in the subdivision, they couldn't do an agricultural lot split.

Commissioner Johnson: But they could put a rural resident on it?

Dustin Parks (Staff): Yeah, they could put a dwelling on it, but it would encompass the whole 160 some acre lot. You know, they can't split that further without having more access, which KDOTs not allowing. So, I don't see it getting smaller.

Commissioner Johnson: And what's your sense of, if this goes through, KDOTs response to further entrances?

Dustin Parks (Staff): In all likelihood, none. I don't necessarily see further entrances. I do see, because they've requested that those lots, Lots 4 and 2 already share entrance, so that's the way KDOT wants to keep it. And I foresee maybe having

to improve an existing entrance. But I don't see new entrances because of how close they are to another intersection of a highway.

Chairman Benyshek: Further questions of staff before we move on here. Okay. Seeing none. If the applicant or applicants or applicants' representative would like to take the podium and state your name and address for the record and give a brief talk here. We would entertain it there.

Ryan Blosser (Hamms) – Applicant: Thank you commissioners for the time. Appreciate it. My name is Ryan Blosser. I'm the president of the Hamms companies. My address is 4108 Ferguson Rd, Perry, KS and I think the the main thing about this whole thing is I'm thinking everybody's waiting for this big reveal on what we're trying to do. I think you know what's not known is we divested our construction and asphalt company here this past year, and we're mainly just ready mix and quarry. So, we stored a lot of construction equipment up on that hill. We've been in the process of cleaning up that hill for the past 10 years as far as scrapping it out. We've completed that process and we just no longer need the ground. So, the thought is we would keep the IP-2 area, where we do our our business and then we would just divest the rest of the property. The property to the north, Lot 2, 4, we have an interested party they just want it for recreation. They want it for hunting. We've got the Rural Water District there in zone 1 if I recall. And then we plan to just sell out the crop ground at some point to whoever's interested in it. So, that's really our whole intent here. So, I guess I'd entertain any questions.

Chairman Benyshek: Sure. Commission members have questions for Mr. Blosser while he's at the podium here? Paul, Matt, any questions?

Commissioner Johnson: Well, just clarification so so so what were the changes you made to your operation?

Ryan Blosser – Applicant: Yes, we divested our construction and asphalt operations. So, the hill we stored a lot of pipe material, metal pipe, barrier walls, things of that nature. And with that divestment, it's allowed us to get rid of the majority there. The only thing really left on the hill is a few barrier walls, but we currently have them for sale. And if we don't sell them in a certain amount of time, we're just going to move them to the bottom and then sell them. So that's really all we have left up there.

Commissioner Johnson: So, is Hamms doing highway construction?

Ryan Blosser – Applicant: We don't any longer, as of last year, we are just in the quarry and ready mix and landfill business. I don't think I said landfill the first time.

Chairman Benyshek: Any further questions? Well thank you very much. Now, Rural Water 7 is on here. Mike, I don't know if you want to make any comments or not. You don't have to by any means.

Mike George/ RWD#7 – Applicant: The only thing that we're after is, you know, is making everything right. Giving us enough, instead of having a 50 by 50ft lot and a 50 by 120ft lot. That's really our motivation.

Chairman Benyshek: Okay. Any questions for Mr. George? All right. Well, thank you. Well, we will move into the public comment portion of the application hearing here. So, if there are any parties, either on our zoom meeting or in attendance here this evening, that would wish to, sorry, give testimony in favor of the application. Take the podium or unmute yourself from zoom, and now would be the time.

Chad Tenpenny (5004 W 131st St, Leawood, KS): Mr. Chairman, my name is Chad Tenpenny. And I'm an attorney with the Tenpenny law firm. And also, our family happens to own the property there on the southeast corner, and also directly downhill. But I just wanted to say that I really appreciate Mr. Parks, taking my phone call and communicating effectively. And also Mr. Blosser. I bugged him on a Friday afternoon, and he got right back to me and we had a nice conversation. And I just wanted to note that and appreciate all the communication. Two other just brief issues, and I don't expect a long discussion, maybe just a couple of things I want to throw out there is broadband has been an issue there right at that corner and Williams town. And I know there's a lot of federal and state money floating around. And that's been an issue nationally, and especially in rural America. But if either anybody at the county or anybody in the room is ever interested in thinking about how we can get more broadband to that area of the county, which is so close to Lawrence and Topeka, we're willing

to be a partner and think about that. The other thing you mentioned KDOT and the intersection there at 59 and 24. I don't know if there's ever any discussion at the County or with KDOT, or in the community about I know we got a stoplight at Perry now whether it might be appropriate at some point to have one at Billtown too, but I just wanted to say thank you mainly to Dustin and Ryan.

Chairman Benyshek: I apologize, Chad, we did not get your address there for the record.

Chad Tenpenny (5004 W 131st St, Leawood, KS): Oh, I'm sorry. My address is 5004 West 131st St., Leawood, Kansas.

Chairman Benyshek: Thank you. Yep. Okay. Anybody further either on Zoom or in attendance here this evening that wishes to speak in favor of the application question?

Landon Stephens (1776 US 59 Hwy, Perry): Just a quick question. I was curious what happens to the tower on your property? Does it go to the people that want to buy the ag ground.

Chairman Benyshek: Can we have your name and address?

Landon Stephens (1776 US 59 Hwy, Perry): I live at 1776 US 59 Hwy, just north of the property. But I was just, I was interested in the internet thing as well. I've been trying to solve that issue since I've moved there last year. So, I was curious about your guys' tower. I know that mercury broadband as intents on that, and I was curious on what happens.

Ryan Blosser – Applicant: Sure. So that would change ownership. And the lease would transfer to the new owner.

Chairman Benyshek: Sure, go ahead.

Doug Tilghman (14259 21st St, Perry): Not sure whether I'm in favor or not? Because I have a question. Doug Tilghman at 14259 21st St., just north of Lot 4 here. Um, so I just basically have a question for clarification. Lot 2 being zoned Rural Residential. If Hamms were to sell that to another party, what's the potential for another party developing that? And then Lot 4, my understanding is that being zoned Agricultural, only one home or residence could be placed on that lot? Is that correct?

Chairman Benyshek: That is the way I understand that Dustin relayed it. Now as far as Lot 2 that you're referring to that I believe is the tillable ground, I would have to turn it over to Dustin, if Lot 2 would be available for basically further division and development on that site there.

Dustin Parks (Staff): Do you want me to answer that now or after the public comment section?

Chairman Benyshek: Now. If you can.

Dustin Parks (Staff): In short, any land in Jefferson County, in unincorporated areas of Jefferson County, that are already in a subdivision have to go through a public hearing process just like this, to divide further. So while I can't speak to, it's always a possibility that someone could buy that Rural Residential ground and want to divide it further. But they're honestly going to have an uphill battle because there, we only allow two lots to share an entrance, and there are already two lots there that share entrance. KDOT is not going to allow more entrances there, I almost guarantee it. I can't say for 100% certainty. But I'd be willing to bet quite a bit on that. So, the likelihood is low that anyone could or would develop that. But it's not a no chance. If that makes sense. I say it's a very, very low chance. And then as far as the ag ground goes up north that if anyone wanted to divide it further, again, they'd have to go through the same process. And it's going to be even more difficult because it doesn't have the frontage availability to be able to really do that. Plus its topography is a little bit counterintuitive for housing.

Doug Tilghman (14259 21st St, Perry): Okay, thank you.

Chairman Benyshek: So, I assume you're still speaking in favor of the application, is that correct?

Doug Tilghman (14259 21st St, Perry): Yeah, I am neither at this point.

Chairman Benyshek: Okay, well you can be neutral then. And then I guess any other members present in the meeting or on Zoom that wish to speak in favor of the application? Okay. Seeing none, no further comment there we will switch gears to members of the public that wish to speak in opposition of the application presented this evening. So, if you are in attendance on Zoom or in public here, please speak up or unmute yourself. Go for it. Okay, well, no opposition then so we will go ahead and close the public comment portion of the hearing here. I would give the applicant a chance for rebuttal. But since there's really nothing to rebut here, we will move on. So, before we look to seek a motion for approval or denial here, I'd ask to go around here one more time, if any Commission members have any further questions of staff? I guess staff or the applicants. Okay. Well, looks like no further comment there. I would either entertain a motion for action on this case here. Steve?

Commissioner Phillips: I move we recommend approval of the application based upon the findings of the staff report.

Vice Chair Scherer: Second.

Chairman Benyshek: Okay, it's been moved and seconded. Moved by Commissioner Phillips and seconded by Vice Chair Scherer to recommend approval of Z2023-01 and PR2023-01. All those in favor, please say aye. or raise your right hand.

Votes were taken by Ayes and Nays as follows:

Tim Benyshek Chairman	Matt Scherer Vice Chair	Tiffany Asher Secretary	Stephen Phillips	Paul Johnson	Greg Hazen	Vacant
DNV	Aye	Aye	Aye	Aye	Aye	---

Motion passed 5-0

Item 6: COMMENTS FROM THE PUBLIC ON ITEMS THAT ARE NOT ON THE AGENDA

No public present at this time.

Item 7: DISCUSS TA2022-01: A request to consider amending the Jefferson County Zoning Regulations to add language relating to the permissibility of Accessory Dwelling Units.

Chairman Benyshek: We will move on to item number 7.

Dustin Parks (Staff): Okay. Let's see. So, item number 7 is to discuss TA, that says 2022, it should say 2023. Since we haven't officially put it on public notification yet, 2023-01 to consider amending the Jefferson County Zoning Regulations to add language relating to the permissibility of accessory dwelling units. So I have kind of shared with you before that after talking to some other counties and some legal brains behind zoning, the overwhelming consensus is that we already kind of have something useful in place if we just remove the word temporary from our guest house regulations. It allows us to maintain that they should, if at all possible, share utilities, that they can't be rented out. We don't have to worry about new zoning regulations in terms of how it fits in with other stuff because guest house is already referenced in other places in our regs. We wouldn't have to go through and do the whole, you know, basically reestablishing links between what means what for an accessory dwelling unit. And I really think that this kind of solves the problem that we've been getting requests for, which the biggest requests we've been getting is, either I have a sick family member, or I have, you know, family that needs to, basically family that needs to live close for, insert your reason here. And I think the guest house regulations would allow us to do that. And I think, to me, I feel like just moving forward and proposing a change of the regulations to say to remove temporary from our guest house regulations fits, pretty much all the boxes we're trying to check with this with what it accomplishes. So it already has listed utility usage in there because, you know, we recommend that people share utilities if at all possible. Mainly, that is septic. We can't tell, you know, power companies and water companies that you have to share utilities on a house that's mainly for Health Department. And we don't have to worry about redefining what an accessory building accessory building is and whether or not it can or can't accept an accessory

dwelling unit. I think it's just cleaner. And that's what I would like to move forward with, next month, is to just present a change that removes the word temporary from our guest house regulations.

Chairman Benyshek: Two questions Dustin, did you say that they do, or they do not have to like basically share the same utilities on the property?

Dustin Parks (Staff): Under our current regulations, it says that they shall share utilities, but the only one of those we can enforce is the Health Department. And even that's kind of a stretch because we don't have building code. So, it's more like a vocal recommendation.

Chairman Benyshek: Gotcha. And then I can't remember either, I haven't read through these very well, but I assume that can either be, I know it sounds silly, but I assume these are detached structures, not just an add on?

Dustin Parks (Staff): Correct. Yeah, that we would just consider an addition.

Chairman Benyshek: Yeah, we've had some of that, I mean, other than them creating, like a breezeway or a walkway. That's the only piece connecting them.

Dustin Parks (Staff): Yep. Which, actually, because we don't have building code counts.

Chairman Benyshek: All right. Go ahead Paul.

Commissioner Johnson: Dustin, so this handles seasonal intern workers?

Dustin Parks (Staff): Yeah, I mean, technically, the guest house regs, right now would handle that, you know, if a person put up a guest house, a person who's there temporarily or seasonally would work for that. What this doesn't do, or what this does do, I should say, is stops preventing people from you know, like my mom had cancer, and she could have lived near us in you know, if we had a mother in law's quarters or whatever, above our garage, or even the secondary, smaller house, she could have lived close, without us having to go through a big public hearing for it when, you know, it's just an additional room, and it seems to be more needed. So yeah, it would work for seasonal. Another case, a planning person recommended to me to look at, was business transitions. Because right now, there's a lot of farmers whose kids are not coming back to farm. But there are other people out there who want to learn how and take over a farm. And in their County, they're actually seeing an uptick of people living with the farmer's family, while they learn how to take it over. So, it's almost like a transitional thing as well. So, a person could live there two or three years in the guest house, learning how to take over a business that way too.

Commissioner Johnson: So this would all be done administratively then within the planning office?

Dustin Parks (Staff): Correct. It would just be another building permit, like it is now. We permit guest houses right now. It would just be removing the word temporary. This is kind of the other reason that one of the lawyers brought up. It's not like we go and check right now who's in the guest house and for how long? So, we're not presently enforcing the temporary. It's just restricting us from being able to tell somebody yes, you can use it for that use.

Chairman Benyshek: Go ahead Steve.

Commissioner Phillips: What is the purpose of encouraging a shared septic system?

Dustin Parks (Staff): It kind of prevents people from being able to say like, let's say, you know, you have a really big lot, building a house down here on this road and building a secondary house up here that causes issues for splitting later. That's the big one that they wrote in in 2009. I, honestly, in today's age with, you know, the way things are going economically, I don't know that it's a big deal. And like I said, it's nothing we can enforce in this office. It's all up to the Health Department.

Commissioner Phillips: Well, I guess I would question the wisdom of it, it seems like the more septic system, the better rather than forcing an existing system to take on additional burden.

Dustin Parks (Staff): No, and that's, and that's why I said it's kind of one of those, there's been a few times where somebody's built a guest house and the existing system absolutely couldn't handle it, and so they've had to put in a lagoon for that house, and they left this system alone. You know, but like I said, that's a Health Department call. So that's kind of how we've been handling it. The regs say they have to share utilities, if at all possible.

Commissioner Phillips: Are the words, “at all possible” in there?

Dustin Parks (Staff): No, I added that. That's my verbiage. I apologize. The regs actually say, “shall share utilities.”

Commissioner Phillips: That's the regulations we're looking at amending. That's not the County code.

Dustin Parks (Staff): Correct.

Commissioner Phillips: I guess I guess I would, I would be in favor of amending it to say “if at all possible”.

Dustin Parks (Staff): That's what's in my head. That's what I was going to propose. And that's why I said it. But because like I said, it's kind of a hamper for us, because we don't even have purview over it. So, let me read you exactly what it says. The guest house regulations presently say... living quarters within a detached accessory building, located on the same premises as the principal or main residential building, for use by temporary guests of the occupants of the premises, and which shall not be used as a boarding house, bed and breakfast or other similar use in which guests pay for their stay. Said living quarters shall not have separate utility services from the principal or main residential building.

Commissioner Phillips: I guess I'd be in favor of deleting that last sentence.

Secretary Asher: Same. My barns like 300 yards away from my house. If I wanted to put like an apartment up there my septic is not going be able to serve it.

Commissioner Phillips: Yeah. Yeah, I agree.

Dustin Parks (Staff): Any other thoughts on that? Because I can adjust what I'm going to propose next month to say?

Chairman Benyshek: Go ahead.

Vice Chair Scherer: Steve, did you mean the whole sentence or just the sentence, the part of the sentence that referred to the septic system or utilities?

Commissioner Phillips: I think it was all utilities?

Dustin Parks (Staff): Yeah, it says said living quarters shall not have separate utilities from services of the principal or main residential building?

Commissioner Phillips: Yeah, be from the word “said” on, I would propose striking.

Dustin Parks (Staff): I'm going to share my screen real quick. So, essentially, see if I can do this here. We would get rid of that. That's what it would look like.

Commissioner Phillips: I like it.

Dustin Parks (Staff): Any other thoughts on it? We can't vote on it or motion on it. But I can bring it up next month for discussion and voting. It's in our public notification to talk about next month. So, I think this is, for me, from an enforcement and from a zoning perspective, I think this is kind of the cleanest way to do it, where we don't have to worry about reinventing the wheel. And it already fits within what we have.

Chairman Benyshek: Go ahead, Matt.

Vice Chair Scherer: I guess my only question is, which you brought up earlier whether or not this creates problems for your future replacement. If somebody wants to split a lot or something like that.

Dustin Parks (Staff): You know, Erin and I have talked about this at length, almost at nauseam. And the biggest thing is that if they're capable of splitting ground, it's not any different than if the house.... so you know, let's take our example of a big property again, and one over here on this frontage and one over here on this frontage. If the houses are there now, and they're capable of splitting it, they could still build a house there if it wasn't there, you know what I mean? You're still talking about two buildable lots. Whether the house is there or not. But if they can't divide it, then that kind of locks them into that. And it's something that we talk about with everyone who wants to do this is that, already, anyone who wants to build a guest house as of right now, building the guest house, you will pay taxes on it, like it's a second house. It makes it extremely difficult to sell and divide. You know, and those same things are there, it's just now it makes it non temporary. And so, if a person puts a house a distance away, then it's on them to try to divide that if they can. And if they can, then, you know, there's no reason for them not to and if they can't, then it's kind of on them to try to sell it. You know, it's kind of a buyer beware situation, in my opinion. Builder beware, I guess.

Chairman Benyshek: Oh, go ahead. Go ahead Tiffany.

Secretary Asher: Is there any, like zoning requirements or like land area requirements at all, I mean, it could be in any zoning?

Dustin Parks (Staff): Two acres. Two-acre building, minimum. You have to have at least two acres to build unless you've worked out something with the Health Department in terms of sanitary sewer, that's a sanitary sewer regulation is a minimum of two acres to build.

Secretary Asher: Awesome.

Vice Chair Scherer: Dustin, is that two acres to build or two acres to...(inaudible)... use a septic system?

Dustin Parks (Staff): It's two acres to build, we adjusted to say you have to have at least two acres to build. So even if it's just a shed, technically, you're supposed to have at least two acres before you build just a shed. Unless the piece is grandfathered and was split before that requirement went into effect in 2017.

Vice Chair Scherer: My house is grandfathered.

Chairman Benyshek: I guess I just have, not really a question, I guess comments about the you know, guest house regs and this and that. I don't know, I guess it's the banker side in me coming out here but I mean, don't get me wrong, I think you know, people that are gonna you know, maybe look at this, are gonna come into it with good intent, like you stated have a sick parent or family member that needs, you know, housing and whatnot to be on site with them, whether that be health or economic reasons. But I guess what I can see this turning into is, you know, you get somebody that moves mom into the guest house and mom's health gets really poor and ends up passing away. Well, all of a sudden, I've got family with a whole extra guest house sitting empty, but I'm paying more taxes on, paying utilities on. What's my incentive? I guess, where it comes back to is enforceability of not being able to rent it out for a business type purpose, because, you know, even though I know they're gonna have to get a building permit, and the County is going to be aware that they built auxiliary dwelling unit on the property. I mean, I can't say that people are gonna be too fearful of someone coming up and knocking on the door and saying, "Hey, Are you renting this?"

Dustin Parks (Staff): If I can be honest. Nothing is stopping that now.

Chairman Benyshek: Yeah, well, exactly. I get that. I guess what I'm saying is, I don't know, you know, this may come up, but I don't know if it's something we necessarily want to, you know, go out and put banners out that says, "hey, Jefferson County come build your second home right behind your other one."

Dustin Parks (Staff): Well, and that's actually one of the reasons they suggested we put it in the guest house regs, instead of calling it an accessory dwelling unit, because an accessory dwelling unit gives it the connotation that it's a second house, but the guest house permitting, gives it the connotation that it's not a primary residence now, again, enforceability, but, and even enforceability, you know, to a point we could get a complaint today that says, hey, my neighbor has, you know, is renting out his garage to somebody and they're living in it. It's up to the County Attorney to prosecute if they don't do anything about it. And so that's kind of where the one of the lawyers I spoke with said, you know, that's why putting it under the guest house on the permit it's guest house you know, it's you have a bigger standing in court if it goes to that.

Chairman Benyshek: Maybe I'm reading all the ways that can go wrong instead of ways it can go right.

Vice Chair Scherer: Well unintended consequences are something we really should consider.

Dustin Parks (Staff): Yeah, it's the law of unintended consequences. So, do you guys, is the board by consensus, okay with me presenting the guest house regs as I'm showing on my screen right now to the board next month for review and discussion and potentially voting?

Commissioner Phillips: I am.

Dustin Parks (Staff): Okay. I mean, it's, yeah, it's not a voting thing. I'm not asking for your opinion on whether or not it'll pass obviously. I just have to know because if we're just going to talk about it and not vote on anything, it's a different legal notification requirement than if we actually vote on it.

Chairman Benyshek: Sure.

Dustin Parks (Staff): So, I'll put it into the paper so that we can get it on there. And if we decide to vote on it, we can. That's item seven.

Item 8: OLD BUSINESS, GENERAL STAFF REPORT

Chairman Benyshek: Item number eight, old business.

Dustin Parks (Staff): I'm going to go quick on this one. We do have two applications I mentioned. That will be next month. I know that sounds like new business, it's not. But I did send out the RFPs. We have not gotten any responses back yet. That is not surprising. Usually, it takes a couple of weeks to get some responses or even inquiries back. From the tracking it looks like most of them have arrived by now. So, I sent them out priority mail, so we can keep an eye on them. There are a few that haven't, but they're not localish. So other than that, that is all I have on old business.

Chairman Benyshek: You said we have two applicants is one of them the crypto? I was asked by the city of McLouth when that was going to be presented.

Dustin Parks (Staff): They've had a packet for over 30 days. Yeah, it was delivered. I'm actually going to say this on the record, so that we can point to it. I'm actually going to show you guys let's see here. We're going to go to my USPS folder.

Chairman Benyshek: Well, that's fine Dustin. I am not concerned with your tracking label.

Dustin Parks (Staff): But now I am. I have to make sure it.

Chairman Benyshek: And that's fine. I just I am probably getting ahead of myself here.

Dustin Parks (Staff): Delivered before Christmas.

Chairman Benyshek: I know the folks who are putting in this cryptocurrency vaults if that's in fact what it is has made request to the city of McLouth for public utilities to be ran since it's just north of town.

Dustin Parks (Staff): Yeah. And that's part of their application. On that, the property itself right now does not have all of their taxes paid, so we might have to table it. Because if on the date of the meeting, they don't have, the property owner is different than the applicant, and if the property owner doesn't have the taxes paid by the date of the hearing, we have to table it.

Chairman Benyshek: It wasn't that FTX place was it? They are in bankruptcy.

Dustin Parks (Staff): No, actually, it's the oil and gas lease holders. They haven't paid the oil and gas leases.

Item 9: NEW BUSINESS

Chairman Benyshek: All right. Item number nine any new business to talk about?

Dustin Parks (Staff): Not really, just the next month's cases and oh, yeah, one item. I will be bringing a resolution to the County Commission for the Board of Zoning Appeals, combination with the Planning Commission within the next couple of weeks. How that looks is if we have a Board of Zoning Appeals case, essentially the County Commission would appoint the existing Planning Commission to operate as the Board of Zoning Appeals. And how that works is we would do our normal Planning Commission stuff, adjourn, then open a Board of Zoning Appeals case and do that, on the same dates, same nights, same times.

Chairman Benyshek: I didn't sign up to be the chair of both committees.

Dustin Parks (Staff): Well, that's the thing, it is a separate board. So, the first action is actually having to elect officers and do the bylaws because the bylaws have different dates and times. So, you don't have to be the chairman of that one. But good luck getting anyone else to agree.

Chairman Benyshek: I will nominate myself to be the nominating committee for that. I guess unless there's anything further to discuss, I would entertain a motion for adjournment.

Commissioner Johnson: What are the cases for the next month?

Chairman Benyshek: There's two of them. One is the crypto currency vault.

Dustin Parks (Staff): The other one is a two-lot subdivision of two brothers who basically, weirdly, one brother has a piece of land here, another brother has a piece of land here, and they decided to split this land here between them. And it just caused them to have to do a plat because of the sizes. So, they couldn't do a boundary line adjustment, they just have to do a plat and rezoning. And so, it's not it's not even a plat that adds buildable lots, it's literally just land division between two brothers.

Commissioner Johnson: I want to quickly go back to this RFP on the comp plan.

Chairman Benyshek: No, we've moved past that now, we're in new business now.

Commissioner Johnson: Is there a timeline for when you're going to get final assessment of applications?

Dustin Parks (Staff): Actually, I can tell you that.

Commissioner Johnson: Is the money fully approved by the County Commission?

Dustin Parks (Staff): The money that I have set aside in our equipment reserve, they have approved my using of that, but since we don't have any budgets or anything, I can't tell you for sure. What exactly that's going to look like dollar wise. You know, because we might get somebody who comes in and says 210,000, but they're going to, you know, give us all kinds of stuff. But we could also have someone come in way under, and you know, so but yes, the money we have in equipment reserve is approved for my usage for that.

Commissioner Johnson: And that was 180,000?

Dustin Parks (Staff): 185,000.

Commissioner Johnson: 185,000. And how rigid is the timeline going to be for finishing the development of the plan?


Dustin Parks (Staff): Well, the timeline is listed in the RFP itself. So, I'm supposed to have all submittals to us by March 31 and no later. And I should have all the questions that people are going to ask by February 17th. So, then what'll probably happen is, also next month, we will be or in March, we'll be looking at setting up the selection committee for reviews. And then late April, we'll be doing the interviews and stuff like that. So, in April, we'll be deciding who's going to move forward and all that. Now, that's not an entirely Planning Commission purview thing. It's just that we'll have to have a couple of members of the Planning Commission on that selection committee. We have to have two members from the Planning Commission, one County Commissioner, department heads, myself and then a couple of at large people for the selection committee.

Commissioner Johnson: Very helpful. Thank you.


Chairman Benyshek: I need I need a motion to adjourn.

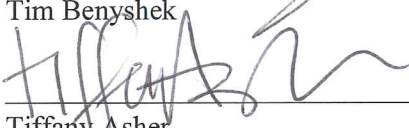
Secretary Asher moved to adjourn the meeting. Vice Chair Scherer. All said aye.

Item 10: Adjournment – 8:45 PM

Minutes taken by: 
Erin George

Approved: Feb. 27, 2023
Date

Chair: 
Tim Benyshek

Secretary: 
Tiffany Asher