

March 2, 2009

The Jefferson County Board of Commissioners convened in regular session on *Monday* March 2, 2009 at 1:00 p.m. Present were Commissioners Roy Dunnaway, Richard Malm, Lynn Luck, Linda Buttron County Clerk and Jan Hayes, County Counselor.

Vouchers were reviewed and approved by the Counselor and the Board. Tax change orders were signed. A travel request was signed for the Health Department. A beer license for The Dam Store located at 11149 39<sup>th</sup> St. was signed. Resolution 2009-5 was signed regarding the annual waiver from GAAP accounting for the County. Lynn moved that the minutes of February 23, 2009 be approved as presented. Roy seconded. All voted in favor of the motion.

Linda discussed a request by the County's workers compensation insurance carrier to adopt a policy prohibiting employees from riding a privately owned motorcycle while on County business. The request is due to the high cost of injury claims where motorcycles are involved. She also discussed the status of pending legislation affecting County government. Preparation of the 2010 budget was discussed. Linda provided sample budget forms to the Board for consideration. The Board indicated by consensus that due to a near zero increase in real estate valuation (2009 valuation for 2010 budgets), concerns with the economy and possible legislative action during this session, departments should hold 2010 budgeted expenditures to the same levels as in the 2009 budget. Pay increases for cost of living and merit should be held to 2-1/2% when planning budgets. The ability to grant raises will depend on the financial status of the County at budget time. They also asked that Department Heads be frugal and watch spending as closely as possible for the remainder of 2009.

Francis Hubbard, Road and Bridge met with the Board. Fuel delivery quotes were received from: Haag Oil Company; Capital City Oil Co. & Jackson Farmers, Inc. Jackson Farmers bid .0495 for diesel, bio-diesel and unleaded fuel for motor graders and the Valley Falls shop. Haag Oil Company bid .0475 for diesel, bio-diesel and unleaded fuel for motor graders and the Valley Falls shop. Capital City Oil bid .17 for diesel, biodiesel and .12 for unleaded fuel for the Valley Falls shop. Lynn moved that the bid of Haag Oil Co. be accepted as presented. Roy seconded. All voted in favor of the motion.

The Board signed a utility easement. Francis reviewed the information he received from KDOT for use of the federal stimulus funds. It was recommended that the County submit all three County bridges that cross Lake Perry for the funds. If they are selected the County will need to pass a resolution transferring funds from Special Machinery and Equipment back to Road and Bridge to pay for engineering costs for the projects. The Board indicated by consensus that they would be willing to make the transfer to pay those costs. The Board indicated by consensus to submit all three bridges for consideration.

Mike Hayes joined the meeting at 1:25 p.m.

Eloise Tichenor, Planning & Zoning met with the Board. Eloise relayed information from the Planning Commission reaffirming their position with regard to the draft zoning regulations. They are still in support of the Planning Commission continuing to function as the Zoning Appeals Board. Also within the by-laws the Planning Commission chairman has three days to call a meeting. This would allow the Planning Commission to speed up the process in case of an emergency such as the Greensburg tornado. Eloise then asked the Board about adopt of the regulations as proposed. The Board discussed their views on the regulations. Lynn moved that the Board adopt the July 2008 draft zoning & subdivision regulations with the exception of Article 27.101 that deals with the Board of Zoning Appeals and further that we replace Article 27-101 as reflected in the July 2008 draft that would create a separate Board of Zoning Appeals with Article 27-101 as reflected in the May 2008 draft that allows the Planning Commission to also act as the Board of Zoning Appeals. There was no second. The motion died for lack of a second. Richard moved that the Board adopt the zoning & subdivision regulations as contained in the July 2008 draft. All voted in favor of the motion. Lynn moved that the Comprehensive Plan be amended to include the commercial/industrial map. Roy seconded. All voted in favor of the motion. Resolution 2009-06 concerning the revision of certain fees for the administration of the zoning regulations was signed. Resolution 2009-07 concerning the revision of certain fees for the administration of the subdivision regulations was signed. Resolution 2009-08 concerning the adoption by reference of the July 2008 edition of the zoning regulations was signed. Resolution 2009-09 concerning the adoption by reference of the July 2008 edition of the subdivision regulations was signed. Resolution 2009-10 concerning an amendment to the comprehensive plan for the

commercial/industrial area map was signed. Eloise asked the Commission to appoint someone from the Board to serve on the Joint Douglas-Jefferson Counties Regional Solid Waste Committee. Roy moved that Lynn be appointed to serve on the committee. Lynn seconded. All voted in favor of the motion.

Mary Underwood, County Treasurer met with the Board. Mary discussed the need to advertise for an auctioneer for the upcoming tax sale. She reported that personal property tax warrants are being mailed this week. The Board signed an order holding a taxpayer's refund to satisfy their tax debt. Mary asked the Board to sign Resolution 2009-11 voiding checks outstanding more than two years. The resolution was signed. Mary discussed opening up the sealed bid process again. Jefferson County owns approximately 400 lots that would be eligible for sale under that procedure. The Board indicated by consensus that the County will wait until the regular tax sale is held before opening the sealed bid process.

Daniel Strong, Olathe met with the Board to appeal the denial of a "AG" lot split decision by the Planning & Zoning Director. Daniel owns land near Perry. He discussed his reasons for asking the Board to overturn the decision of the Planning & Zoning Director with regard to road frontage requirements. Roy moved that the AG lot split be approved as presented *with the understanding that the easement is not a County maintained road*. Lynn seconded. All voted in favor of the motion.

Jim McGrath, Meriden met with the Board. Jim is considering acquiring property through a quiet title process of property that has no known owner. He would like to have the taxes forgiven on the property before he takes title to the property. There is \$2,365.77 in back taxes due on the property. Mary Underwood stated that the parcels occurred during the time of reappraisal when property was mapped using the deeds filed. Several pieces of property were not named in the deeds and were mapped as "unknown" owners. According to K.S.A. 79-1703 the Commissioners cannot forgive the taxes.

Paul Flower and Teresa Woodhead representing the Jefferson County Historical Society met with the Board. Paul discussed an agreement made with regard to an easement for the Historical Society on the property recently acquired by the County.

Richard moved that the Board go into executive session to discuss matters of attorney client privilege until 3:30 p.m. Lynn seconded. All voted in favor of the motion. The Board adjourned at 3:15 p.m. Present during the session were Mike, Jan and the Board. The Board reconvened at 3:30 p.m. The chairman announced that no binding action was taken during executive session.

There being no further business to come before the Board they adjourned to meet again on March 9, 2009.

ATTEST:/s/Linda M Buttron, County Clerk /s/Richard Malm, Chairman