

October 11, 2010

The Jefferson County Board of Commissioners convened in regular session on Monday October 11th at 1:00 p.m. Present were Commissioners, Richard Malm, Lynn Luck and Roy Dunnaway, Jan Hayes, County Counselor and Linda M. Buttron, County Clerk.

Vouchers were reviewed and approved by the Counselor and the Board. Lynn moved that the minutes of October 4, 2001 be approved as presented. Roy seconded. All voted in favor of the motion.

Gayle Snow, Mid America Pipeline met with the Board regarding a repair needed to a pipeline crossing Stone House Creek north of 5th street (south of Williamstown). Francis Hubbard, Road and Bridge indicated that she needed to get a permit from the Kansas Division of Water Resources.

Francis Hubbard, Road and Bridge met with the Board. Road maintenance and projects were discussed. He asked permission to hire part time office staff to replace an employee who is leaving. The Board approved the request by consensus.

Eloise Tichenor, Planning & Zoning met with the Board. She presented three cases to the Board for consideration. Eloise explained that there was an error on a document that sets out the date for approval of applications. The first-Conditional Use (CU2010/06) by Raymond A. & Kelli D. Hernandez for use as a licensed home daycare on property located on Lots 1, 2 3 & 4, Block 1 and Lots 1, 2, 3, and 16, Block 7 in the Village of Dunavant in the Northeast Fractional Quarter of Section 6, Township 9 South, Range 19 East. Hearing no public comment Roy moved that the request by Raymond A. & Kelli D. Hernandez be approved as presented. Lynn seconded. All voted in favor of the motion. The second-TA 2010/01 approving a text amendment to Article 14 Floodplain District of the Jefferson County Zoning Regulations as recommended by the Planning Commission. Lynn moved that Resolution 2010-028 be approved creating a text amendment to the flood plain district in the Jefferson County Zoning Regulations. Richard seconded. All voted in favor of the motion. The resolution was signed. A request by the Boy Scouts of America for modification to the original conditions and a revised development plan approved on conditional use permit number CU2003/17 approved January 12, 2004. The property is located on 40 acres in the SE ¼ of Section 3, Township 10S, Range 18E. Due to the error in the scheduling document the issue was tabled until next Monday, October 18, 2010 at 1:30 p.m. to allow the applicant and other interested parties to attend.

Eileen Filbert, Health Department met with the Board. She asked the Board to confirm that Jeannie Czoch is designated to make decisions with regard to Home Care in the absence of the Director and that Debbie McNary be designated to make decisions with regard to Public Health in the absence of the Director. The Board also signed the Senior Service Policy and Procedure manual. The Board signed a travel request for staff. Eileen asked for permission to hire another PRN nurse (part time position), a PRN home health aide and a PRN physical therapist. The Board agreed to the request by consensus. Sewer districts were discussed.

Max Strunk, Perry met with the Board regarding a agricultural lot split application on property located in the S1/2 of the NW ¼ of the N1/2 of the N1/2 of the SW ½ of 22-11-19 that was denied by the Planning & Zoning administrator. Eloise discussed the background of the application and the denial. Max stated that he based his appeal on the fact that if the road were to run straight across his property line there would be sufficient road front footage to meet the requirements of the regulations, (the road bends around a bluff and does not touch the front of his property line). Lynn moved that the denial decision be overturned and the application approved. Roy seconded. All voted in favor of the motion.

Jan Hayes, County Counselor asked for an executive session to discuss matters of attorney client privilege. Lynn moved that the Board recess into executive session until 2:35 p.m. to discuss matters of attorney client privilege. Richard seconded. All voted in favor of the motion. The Board recessed at 2:20 p.m. Present during the session were Jan and the Board. The Board reconvened at 2:35p.m. The

chairman announced that no binding action was taken during executive session. Lynn moved that Jan be authorized to pursue the vacation of 102nd street through KSA 68-102(b). Richard seconded. All voted in favor of the motion.

Mike Hayes, Attorney met with the Board. Mike discussed the boundary dispute between Tanya Heiden and Jeanette Herman. The Commissioners did a fence view in October of 2008. Judge Nafziger and Mike have discussed having the parties pay for a County Surveyor to survey the property line between the parties and pin the line so that the line can be properly determined. Mike asked if the Board would agree to have the County Surveyor (as an impartial surveyor) do the survey if the parties advance the money to pay for the survey. The Board agreed to the request by consensus.

There being no further business to come before the Board they adjourned to meet in regular session on Monday October 18, 2010.