

## **OFFICIAL MINUTES OF THE JEFFERSON COUNTY BOARD OF COMMISSIONERS**

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The Jefferson County Board of Canvassers reconvened at 12:15 p.m. to canvass the results of the recount of the Ozawkie City Mayor's race. Present were: Richard Malm, Lynn Luck, and Linda M. Buttron, County Clerk. Linda reported that a special board was convened on Wednesday April 10<sup>th</sup> at 10:00 a.m. to recount the race. Reports from the recount were presented to the Board for consideration. The Board found the results to be in order and the results as follows: Steve Stanton-51 votes; Mark Larson-50 votes; Gary Branson-2 votes, Gordon Smith-1 vote; Scott Gibson-1 votes; Erick Buckman-1 vote and Jason Klenklen-1 vote.

The Jefferson County Board of Commissioners convened in regular session on Monday April 15<sup>th</sup> at 1:00 p.m. Present were Commissioners, Richard Malm, Wayne Ledbetter, Lynn Luck, and County Clerk, Linda M. Buttron. Josh Ney, County Counselor was not present at the meeting but available by phone.

Vouchers were reviewed and approved by the Board. The Counselor reviewed the vouchers on Friday April 12<sup>th</sup>. Richard moved that Resolution 2013-012 be approved officially appointing Daryl Chess as temporary part time Emergency Management Director. Wayne seconded. All voted in favor of the motion. The chairman signed the FY 2014 Comprehensive Plan for the Community Corrections Program. The program serves Shawnee, Jackson, Jefferson, Pottawatomie & Wabaunsee counties. Lynn moved that the minutes of April 8<sup>th</sup> be approved as presented. Wayne seconded. All voted in favor of the motion.

Susan Newell, 911 Director met with the Board. Susan asked the Board to sign a proclamation designating April 14-20 as National Public Safety Telecommunicators Week in Jefferson County. Wayne moved that the proclamation be signed. Lynn seconded. All voted in favor of the motion.

Francis Hubbard, Road and Bridge Superintendent met with the Board. Road maintenance was discussed. Also discussed was the proposal made by KDOT for taking over a couple spur routes. Francis suggested that the money from KDOT could be used to purchase a new grader through the buyout program. The Board discussed using the funds to pay for part of the cost of other equipment that he discussed at a recent meeting.

Teresa Hattermer, County Appraiser met with the Board. She stated that due to personal reasons, she is not seeking reappointment as County Appraiser and will be leaving employment at the expiration of her term on June 30, 2013. The Board thanked her for her 27 years of service. Lynn moved that the resignation be accepted. Wayne seconded. All voted in favor of the motion.

Lynn moved that the Board approve amending Resolution 2013-006 to state that the Planning & Zoning Director be authorized to approve any pending permit applications related to property within Lakeside Village for which this board has issued preliminary approval in an open meeting. The change is to be effective immediately. Richard seconded. All voted in favor of the motion.

Bill Noll, Planning & Zoning Administrator presented four cases to the Board for consideration.

Development Plan Revision DP2013/01 by Village Greens, Inc. for the building of an additional Storage Building on land described as: The Northeast 1/4 of Section 33, Township 9 South, Range 17 East of the 6<sup>th</sup> P.M., in Jefferson County, Kansas. The address of the parcel is 5615 K-92 Hwy., Ozawkie, KS 66070. The parcel is generally located on the south side of K-92 Hwy. and approximately ½ mile east of K-4 Hwy. The Planning Commission recommended approval of the request. Meril Vanderpool was present for the discussion. Wayne moved that DP2013/02 be approved as presented. Lynn seconded. All voted in favor of the motion.

Development Plan Revision DP2013/02 by MCM Properties, LLC, is for the building of a shop building on land generally described as: approximately 297 acres being located in Section 35, Township 12 South, Range 18 East, and east of the east road right-of-way of Lecompton Road and north of the Kansas River. The request includes all parts that lie south of the north line of said Section 35, which includes portions of property in Lot Number 4 and Lot Number 6 of Survey 20, Kaw Half Breed Indian Lands, in Jefferson County, Kansas. The property owner of record is RSC Properties, LLC. John Eichman was present for the discussion. The Planning Commission recommended approval of the request with the following conditions: 1) Kansas Division of Water Resources review of the amended Development Plan and approval of Floodplain fill Permit prior to the issuance of a building permit. 2) Approval of LOMR-F by FEMA for the amended Development Plan with 24 months of the issuance of the building permit for the structure. A Certificate of Occupancy will not be issued for the building until FEMA has approved the LOMR-F. Failure to obtain approval from FEMA will require that the building be removed by the applicant. Wayne moved that DP2013/02 be approved as presented with the conditions recommended by the Planning Commission. Lynn seconded. All voted in favor of the motion.

Consideration of Amended Conditional Use CU2012/06 by Will Spann for use as a Flea Market/Farmers Market/Bakery/Multi-Purpose Building on land described as: All of the West Half (W1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section

14, Township 11 South, Range 18 East of the 6<sup>th</sup> P.M., in Jefferson County Kansas; EXCEPTING a tract of land consisting of 3 acres, more or less, in the Southwest corner of said Section 14, said tract of land having been deeded to Lewis M. Fink, O.S.B. Bishop of the Kansas City, Kansas, Diocese, and known as the Catholic Cemetery; and also EXCEPTING a strip of land 20 wide lying directly South of the Catholic Cemetery and extending from the West line of said Section 14 to a line even with East line of said Catholic Cemetery, said strip of land exclusive of the public highway. The address of the parcel is 2638 Ferguson Road, Perry, KS 66073. The parcel is located on the East side of Ferguson Road approximately 1 mile north of the City of Perry. Will Spann was present for the discussion. The Planning Commission recommended approval with the following condition: 1) All types of Special events shall be allowed without review excluding type 4-Fireworks Stands and all of Type 6. 2) Every November Staff will review the Conditional Use Area. This review will consist of a site inspection to ensure that the area is not becoming a junkyard as defined by the Jefferson County Zoning Regulations and a review of the natural evergreen buffer. If the trees were to die, it will be the responsibility of the person or entity who owns the Conditional Use Area to replace them with evergreens. Failure to pass this review will be grounds for immediate revocation of the Conditional Use Permit. Wayne moved that CU 2012/06 be approved as presented with the conditions recommended by the Planning Commission. Lynn seconded. All voted in favor of the motion.

Conditional Use CU2013/01 by David P. Taylor for use as a Floral Shop with Gifts and Antiques on land described as: Lot 1, Colonial Acres Subdivision, Jefferson County, Kansas according to the recorded plat thereof. The address of the parcel is 8998 US-59 Hwy., Oskaloosa, KS 66066. The parcel is generally located on the east side of US-59 Hwy across the road from the Jefferson County Ambulance Services Building. David Taylor was present for the discussion. The Planning Commission recommended approval of the request as presented. Lynn moved that CU2013/01 be approved as presented. Wayne seconded. All voted in favor of the motion.

Keith Rickard, The Guidance Center Executive Director along with Jerry McDonald Finance Director met with the Board. Keith updated the Board on activities of the agency. The center provided behavioral health services for 4,960 residents in 2012, (589 in Jefferson County). Other agency statistics were reviewed. The agency is governed by four representatives from each County, (Jefferson, Atchison & Leavenworth). Currently Jefferson County's representatives are: Pat Happer, Loren Lutes and Tim Marshall. There is a position vacant in Jefferson County.

Andy Conser, Heart of America Real Estate and Auction Service met with the Board. Mary Underwood, Treasurer was present for the discussion. Andy discussed the service he could offer in selling the County's property at 6361 Hickory Point Road in Hickory Acres subdivision. He recommended a starting bid of \$26,000 for the property.

Lynn moved that the Board enter into contract with Heart of America Real Estate and Auction Service to auction property at 6361 Hickory Point Road, Meriden. Wayne seconded. All voted in favor of the motion.

Members of the Jefferson County Firefighter's Association met with the Board. Carl Chalfant, McLouth Fire Department spoke for the group. The group asked that the Commissioners keep the Emergency Management position as a full time position due to the county being bordered by metro areas on three sides, a major railroad running through the county, three heavily traveled state highways, a large recreation facility, several high pressure transmission gas lines, along with oil and natural gas wells. The group feels that a part time employee cannot maintain the education and training required and then be able to relay the knowledge back to each county's fire department under the constraints of a part time position. Others in the group spoke with regard to the request.

Gary Tucking, Valley Falls met with the Board. Gary discussed problems with the way his property was divided by sale in recent years. He would like to change the division lines of the property so that his farm ground is put back together. Bill Noll was present for the discussion. Bill discussed zoning on the properties in question. Gary stated that he is willing to go through the steps to get the property into compliance and will work with Bill to resolve the problems.

There being no further business to come before the Board they adjourned to meet in regular session on Monday April 22, 2013.