

BOARD OF MCPHERSON COUNTY COMMISSIONERS
(Draft Copy Only - Minutes are not official until formally approved by the
Commissioners at their next meeting)

AUGUST 1, 2006
10:00 a.m. REGULAR MEETING
All Present

Chairman Schroeder called the meeting to order.

Two items were added to the agenda: 1. PCN for the Sheriff's Department for an end of probation. 2. Contract for signature and approval for Bridge Construction Project Number 59C-4191-01. Commissioner Terry made a motion to approve the August 1, 2006 agenda as amended. Commissioner Patrick seconded. All voted aye.

Chairman Schroeder asked if there was any Public Input. There was none.

Chairman Schroeder called for a motion to approve the July 25, 2006 minutes. There were two corrections stated. Commissioner Terry made a motion to approve the July 25, 2006 minutes as corrected. Commissioner Patrick seconded. **All voted aye.**

Commissioner Patrick made a motion to approve the Payroll for August 4, 2006. Commissioner Terry seconded. **All voted aye.**

Commissioner Terry made a motion to approve the Adds and Abates for August 1, 2006. Commissioner Patrick seconded. **All voted aye.**

Rick Witte, County Administrator stated the Commissioners had been invited to Watershed #95 Annual Meeting to be held on August 22, 2006 in Little River at 6:30 p.m. All stated they were going to attend.

Mr. Witte presented a PCN for end of probation for Clifford Bailey moving him from a 12/F to a 12/G effective 07/16/2006. Commissioner Patrick made a motion to approve the end of probation for Clifford Bailey. Commissioner Terry seconded. **All voted aye.**

Chairman Schroeder called for the 10:10 a.m. agenda item, CUP 2006-4 a Subdivision located in New Gottland Township. He stated this is an application for the establishment of a 9-lot subdivision as a conditional use permit in the A-1 Zoning District.

Chairman Schroeder asked the other Board Members if any of them intended to disqualify themselves from discussing and voting on this case because they have conflicts of interests or a particular bias on this matter. Board members stated they had no conflicts of interests or biases on this matter.

Chairman Schroeder stated there was not a protest petition filed with the County Clerk for this case.

Chairman Schroeder asked if the Board had received any communications to consider on this case other than from the Planning Board. They stated they had not had any other communication.

Chairman Schroeder asked the Board if they all received copies of the minutes of the Planning Board for July 17, 2006 that have information pro and con to this case. They stated they had received the minutes.

Chairman Schroeder asked the Applicant and those present if they felt that they had a fair and impartial hearing. Everyone responded they felt it was a fair and impartial hearing.

Chairman Schroeder called on Angela Krummel-Buzard, Planning and Zoning Administrator to give a report on the case. She stated it was a CUP to establish a 9-lot subdivision by Ronald and Dawn Erickson in a A-1 Agricultural Zoning District one half mile north of the intersection of Pioneer Road and 15th Avenue on the West side of 15th. Ms. Krummel-Buzard gave information on the following items:

- Standards for Conditional Use Permit Consideration
- Standards for Subdivision Conditional Use Permit Consideration
- Neighborhood/has several homes in the area already
- Concern for traffic on Pioneer Road and 15th Ave.
- Traffic Study/done during the week and on the week-end both
- County Standards for paving a road
- Site is not in the flood plain
- Sewer system for the site/Lagoon or Lateral
- Screening/not a lot needed on this issue
- Drainage/study has not been completed at this time
- Water/will be furnished by Rural Water District #6
- Homeowners burden
- Overall land would be suitable for sub dividing however according to our comprehensive plan and sub division regulations it is not within the parameters for a sub division
- Pond and road maintenance
- Sight distance for road entrance

Ms. Krummel-Buzard stated that she had contacted several Departments and asked for information. She heard from the following:

- McPherson Fire Department with concerns for water to fight a fire and that the roads may not allow access at all time

- McPherson County Public Works with concern for roads and private roads
- McPherson Sanitarian saying the sewer system could be lagoon or laterals
- Bickley Foster, County Planning Consultant, gave a report to the Planning and Zoning Board and the Planning and Zoning Board addressed all his concerns.

Ms. Krummel-Buzard ended her report by telling the Board of County Commissioners that this case has been forwarded to them as a denial by the Planning and Zoning Board with 4 yes votes to 2 no votes. Current regulations require 5 votes for recommending approval of a case.

Chairman Schroeder asked the Board if they have any questions for Ms. Krummel-Buzard. At that point there was discussion regarding the sewer system; minimal requirement for the roads; if the roads will be one or two lanes; right-of-way footage on 15th Ave.; and mail and bus routes.

Mr. Ronald Erickson addressed the right-of-way stating he did not have a problem with providing additional footage for right-of-way. Ms. Krummel-Buzard stated it could be made a condition of this approval and added to the resolution.

Chairman Schroeder called on the applicant Mr. Erickson to give his report. Mr. Erickson stated he did not have anything new, he just wanted to make this a nice subdivision and wanted to go through all the right channels to do so. He also stated that he thought the subdivision traffic would use 15th Ave. rather than Pioneer.

Dave Bohnenblust, Public Works Director, stated he has received several calls about the increase of traffic on Pioneer. He stated that somehow the residents who live on Pioneer have gotten the impression that if this subdivision is approved that Pioneer road will be paved and this will probably not happen in the near future.

There was discussion regarding how many feet of right of way would be needed. Mr. Bohnenblust stated 80 feet at a minimum but he would prefer 100 feet.

There was more discussion, with Commissioner Terry having a concern about locating a subdivision off of a township gravel road and Commissioner Patrick expressed concern about there being enough water for everyone.

Chairman Schroeder asked for any other comments and there were none. He then stated the Board has received all the information for this case and then he reviewed the 6 options provided under the State Statutes for the Board to take action.

Chairman Schroeder then asked for a motion.

Commissioner Terry stated he saw two negatives for this subdivision and they were 1. It is being built off of a gravel township road; and 2. The fact that it is taking agriculture farmland out of production. Commissioner Patrick stated again he was concerned about the water.

Chairman Schroeder asked if they were ready for a motion.

Chairman Patrick made a motion to override the Planning Board's recommendation and approve Case No. CUP 2006-4 and sign Resolution 06-16 with the additional condition of the right-of-way added to the resolution. Chairman Schroeder seconded. **Chairman Schroeder voted aye. Commissioner Patrick voted aye. Commissioner Terry voted aye.**

Dianna Carter, County Appraiser, appeared and requested a 10-minute executive session from 10:55 a.m. to 11:10 a.m. for non-elected personnel in the Appraiser's Office to include Mr. Witte. Commissioner Terry made a motion to go into executive session for non-elected personal in the Appraiser's Office for 10 minutes and include Mr. Witte. Commissioner Patrick seconded. **All voted aye.** Commissioners returned to open session at 11:10 a.m. No action was taken during executive session.

Commissioner Terry made a motion to approve the PCN to hire Suzanne F. Patrick as a Review Field Appraiser I at a 10B in the Appraisers Office effective August 7, 2006. Commissioner Patrick seconded. **All voted aye.**

Commissioner Patrick made a motion to approve the PCN for the promotion of Barb Britton to a Review Field Appraiser II, 14G effective July 30, 2006. Commissioner Terry seconded. **All voted aye.**

Dave Bonhnenblust, Public Works Director, appeared and presented the Authority to Award Contract Commitment of County Funds for Project Number 59C-419-01 for signature. He stated the contract went to L & M Contractors, Inc. from Great Bend, Kansas and is in the amount of \$637,224.40. He stated this had already been approved but needed their signatures. Commissioner Patrick made a motion to sign the Authority to Award Contract for the Commitment of County Funds to L & M Contractors, Inc. of Great Bend, Kansas. Commissioner Terry seconded. **All voted aye.**

Mr. Witte reviewed the 2007 budget. He stated the mill levy will decrease by 2 mills and some of the reasons are as follows:

- Compensating use tax and sales tax
- Expenditures have decreased
- Interest rates have increased
- Insurance Reserve has grown
- Legislative action that eliminated County payments for out-district tuition.

Mr. Witte commended the Department Heads and the Agencies for the good job they did preparing their budgets.

Mr. Witte then stated the budget hearing for the county would be held on August 22, 2006 at 10:10 a.m.

At 12:30 p.m. the Commission recessed until 1:30 p.m. to attend a work session with the Public Works Department at the Public Works Office. At 5:10 p.m. The Commissioners recessed until 9:00 a.m. on August 4, 2006 to canvass votes in the County Clerk's Office. At 10:30 a.m. Commissioner Terry made a motion to adjourn. Commissioner Patrick seconded. **All voted aye.**

Minutes taken by Rachel L. Johnson

Don L. Schroeder, Chairman

Duane J. Patrick, Vice-Chairman

Harris G. Terry, Commissioner

Attest: County Clerk
Susan R. Meng