

BOARD OF MCPHERSON COUNTY COMMISSIONERS

July 1, 2008
10:00 a.m. Regular Meeting
All Present

Chairman Loomis opened the meeting at 10:00 a.m.

Commissioner Patrick made a motion to approve the agenda for July 1, 2008.
Commissioner Terry seconded. **All voted aye.**

No one spoke during Public Input at 10:00 a.m.

Commissioner Patrick made a motion to approve the minutes for June 24, 2008.
Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion to approve payroll for July 3, 2008. Commissioner Terry seconded. **All voted aye.**

At 10:10 a.m., Chairman Loomis introduced Case #ZA 2008-01, an application request by Rick Watenpaugh for a zone change from an A-1 Agricultural to an R-1 Single Family Residential District on 56.1 acres of land located SW of the intersection of 14th Ave. and Rainbow Road. The case was previously approved by the Planning Board at the June 16, 2008 Planning Board Meeting by a 4 (in favor) to 3 (opposed) vote. Chairman Loomis noted that a valid protest petition had been received by the McPherson County Clerk's Office, and then asked Don Schroeder, Interim Planning and Zoning Administrator, to present the specifics of the case.

Mr. Schroeder reviewed details of the case, which included the applicant's intention to create a 4-lot sub-division. Several individuals from the public addressed the Commissioners expressing their opposition to the zoning change and asked for a vote of disapproval. Bill Heller, surveyor who represented the applicant, Mr. Watenpaugh, was asked to present further information and details of the zoning request, and submitted a list of proposed covenants, restrictions and stipulations regarding types of properties that would be constructed on the lots.

Chairman Loomis closed the public comment portion of the case and read the six (6) options available to the Commissioners regarding action on the recommendation of the Planning Board's decision. Chairman Loomis noted that two of the options were not applicable in this particular case; therefore only four (4) options were available.

Commissioner Patrick made a motion to select option #3, to override the Planning Board recommendation and disapprove case #ZA 2008-01, because it goes against the Comprehensive Plan for the County; ag land should be left as ag land, and because it should be closer to a city. Chairman Loomis asked if there was further discussion or a second to the motion. Commissioner Terry asked Mr. Schroeder if there were any other factors to consider (reasons for approval or disapproval) regarding the change in terrain or interfering with land, etc. Mr. Schroeder referred to criteria #5 of the case staff report

dealing with creating changed or changing conditions in the area of the subject property and, if so, the nature and significance of such changed or changing conditions. Commissioner Terry asked if Mr. Schroeder had received input from the township. Mr. Schroeder stated that the township had been notified but that he received no input from them. Chairman Loomis seconded the motion and added that the significant protest petition weighs as a factor in his situation. **All voted aye.** Mr. Schroeder added that anyone who disagrees with the decision of the Commissioners in the case has 30 days to file an appeal with the District Court, which would then be a civil action.

At 10:50 a.m., Dianna Carter, County Appraiser, joined the meeting to request approval and signature on a Personnel Change Notice (PCN) to hire Kim Romero as an Office Clerk/Field Appraiser (10A), effective July 15, 2008, to fill a vacancy. Commissioner Patrick made a motion to approve and sign the PCN as presented. Commissioner Terry seconded. **All voted aye.**

At 10:55 a.m., Lorna Nelson, Old Mill Museum Director, joined the meeting to request approval and signature on a PCN to hire Joe Collette as a Temporary Summer Museum Maintenance Worker (1A), effective June 29, 2008. Commissioner Patrick made a motion to approve and sign the PCN as presented. Commissioner Terry seconded. **All voted aye.**

At 11:00 a.m., Jim Novak, ISO II for Community Corrections, joined the meeting to request approval and signature on a PCN to end the probation status of Anthony LeClair, Surveillance Officer (S18B), effective June 13, 2008. Commissioner Terry made a motion to approve and sign the PCN as presented. Commissioner Patrick seconded. **All voted aye.**

At 11:05 a.m., Tom Kramer, Public Works Director, joined the meeting. Rick Witte, County Administrator, requested five (5) minutes of executive session, including himself, to discuss non-elected personnel in the Public Works department. Commissioner Patrick made a motion to go into executive session from 11:05 a.m. to 11:10 a.m. as requested. Commissioner Terry seconded. **All voted aye.** No action was taken in executive session.

Mr. Kramer requested approval and signature on a PCN to include the additional job title, Safety Coordinator, and related duties to the existing Engineering Tech III position of Patricia Wachtel, with a salary adjustment (17H), effective June 29, 2008. Commissioner Terry made a motion to approve and sign the PCN as presented. Commissioner Patrick seconded. **All voted aye.** A final draft of the newly created Safety Coordinator position will be presented for approval at a future meeting.

At 11:20 a.m., Steve Johnson, McPherson Health Department Sanitarian, joined the meeting to present for signature, the FY 2009 Local Environmental Protection Program (LEPP) grant funded through the Kansas Water Office and distributed through the Kansas Department of Health and Environment (KDHE) in the amount of \$16,255.00. Commissioner Terry made a motion for the Chairman to sign the grant as presented. Commissioner Patrick seconded. **All voted aye.**

At 11:25 a.m., Mr. Witte requested twenty (20) minutes in executive session, including himself, to discuss non-elected personnel in the Emergency Management department. Commissioner Terry made a motion to go into executive session from 11:25 a.m. to 11:45 a.m. as requested. Commissioner Patrick seconded. **All voted aye.** At 11:45 a.m., Commissioner Terry made a motion to extend the executive session for an

additional fifteen (15) minutes until 12:00 p.m. Commissioner Patrick seconded. **All voted aye.** No action was taken in executive session.

At 12:00 p.m., Chairman Loomis adjourned the meeting.

Commission minutes taken by Abbey Heidebrecht.

Ron Loomis, Chairman

Duane Patrick, Vice-Chairman

Harris Terry, Commissioner

Attest: County Clerk
Susan R. Meng