

BOARD OF MCPHERSON COUNTY COMMISSIONERS

November 19, 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 November 19, 2008 as presented. 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 November 12, 2008 as amended. Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion to approve payroll for November 21, 2008. Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion for the Chairman to sign the Notice to Township (New Gottland) for a cereal malt beverage license for Rolling Acres Golf Club. Commissioner Terry seconded. **All voted aye.**

It was a consensus among Commissioners to cancel the regular Commission Meeting December 2, 2008.

At 10:10 a.m., Chairman Loomis opened the public hearing for consideration of a proposed Special Use Permit (SUP) #SU-2008-05, an application by UAP for commercial storage and sale of anhydrous ammonia at 1055 Kiowa Rd., McPherson, KS. Chairman Loomis began by asking those opposed to the SUP if they felt they had had fair and impartial treatment at the Planning and Zoning Commission Hearing, which took place October 20, 2008. Two citizens responded that they felt the Planning Commission had not properly considered their comments and concerns. He then asked the applicant representative, Mr. Dallas Eilert, UPA Manager Facility, Galva, KS, if he felt he had had fair and impartial treatment before the Planning Committee. Mr. Eilert commented that he felt that the hearing had been conducted properly and fairly.

Ken Cook, County Planning and Zoning Administrator reviewed the case including the conditions and factors regarding the application. The decision to allow the SUP to be sent on the County Commission was made unanimously by the Planning Board Members at their October 20, 2008 meeting, with the addition of minor adjustments to the following conditions: allow up to two (2) 18,000 gallon anhydrous ammonia storage tanks; require applicant to consult with Jackson

Township concerning road maintenance; and change in storage container location. Mr. Eilert answered questions from Commissioners regarding the site security and safety/health concerns related to possible leaks from storage tanks. County Law Enforcement Officers were present to address their concerns and requests regarding the theft issues of present and future facilities around the County.

Following discussion, Chairman Loomis reviewed the options for deliberation. Commissioner Terry made a motion to allow the SUP case #SU-2008-05 by passing Resolution #08-13, over-riding the planning Board recommendation by attaching additional conditions which include: provision of proper lighting around the facility; and securing the nurse tank area with a chain link fence of appropriate size. Commissioner Patrick seconded. **Chairman Loomis voted aye. Commissioner Patrick voted aye. Commissioner Terry voted aye.** Commissioner Loomis reminded those who may be aggrieved by this decision that they have 30 days after the published resolution to appeal to District Court.

At 11:10 a.m., Lorna Nelson, Old Mill Museum Director, joined the meeting to introduce a request by Catherine McCabe, producer of an upcoming SAG movie called AU PAIR, KS. Ms. McCabe and her film crew will be in Lindsborg, filming local holiday events on December 6, 2008 and asked Commissioners to consider allowing filming at the Swedish Pavilion on that date, specifically following the closing hours of the Museum. It was a consensus among Commissioners to allow the filming, with proper insurance coverage, on December 6, 2008 and to utilize Museum staff to assist in related activities before and after the event.

At 11:30 a.m., Dan Schrag, Noxious Weed Department Director, joined the meeting to request signature on the Central Kansas Conservancy (CKC) right-of-way agreement to treat noxious weeds. Commissioner Terry made a motion for the Chairman to sign the Agreement as presented. Commissioner Patrick seconded. **All voted aye.**

At 10:40 a.m., Tom Kramer, Public Works Director, joined the meeting to ask that bids be obtained for the project at the correction curves on CR699 (4th Ave.) and Chisholm Road. This project consists of improving the geometry of 4th Ave. and Chisholm Road. Commissioner Patrick made a motion to approve the request as presented. Commissioner Terry seconded. **All voted aye.**

At 11:50 a.m., Brenda Becker, County Treasurer, joined the meeting to request approval of a Personnel Change Notice (PCN) for the promotion of Clari Becker, MVL Dept. Clerk II to an Administrative Assistant (9C), effective November 30, 2008. Commissioner Patrick made a motion to approve the PCN as presented. Commissioner Terry seconded. **All voted aye.** Chairman Loomis excused himself from the meeting at 11:50 a.m.

Ms. Becker requested fifteen (15) minutes in executive session, including Mr. Witte, to discuss non-elected personnel in the MVL/Treasurer's Office.

Commissioner Patrick made a motion to go into executive session from 11:55 a.m. to 12:10 p.m. Commissioner Terry seconded. **All voted aye.** No action was taken in executive session.

At 12:15 p.m., Vice-Chairman Patrick 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