

**Wabaunsee County Commission**  
**Wabaunsee County Courthouse, Alma, KS**  
**Regular Meeting Minutes August 22, 2022**

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The Board of County Commissioners meeting in session Monday, August 22, 2022. Commissioners conduct the meeting in person and over ZOOM. Members attending were Nancy L. Hier, Rodney L. Allen and Joel S. Fager. Commissioner Fager called the meeting to order in the Wabaunsee County District Court Courtroom at 9:00 AM and opened with the Pledge of Allegiance. Road & Bridge Supervisor Thayne Bush, Zoning Administrator Noel Sylvester, Treasurer Karen Callaway, Appraiser Ryan Michaelis, Register of Deeds Marcy Merritt, Emergency Management Coordinator Amy Terrapin, Sheriff Rob Hoskins, Undersheriff Brett Wilson, County Attorney Tim Liesmann and County Clerk Abby Amick were staff in attendance in person. Emergency Personnel attending included Mickey Huber, Jon Antrim, Vicki Evans, Briana Drinkwater, Jennifer Savage, Michael Slobodnik, Richard and Abbi Glotzbach, Lexi Brumage, Sara Diepenbrock, Barb Phillips, and other members of the Wabaunsee County Sheriff Department. Members of the public in attendance included Megan and Jeremy Niederwerder, Herb Massey, Linda Bailey, Diane Stauffer, Charles and Deb Ridgway, Jan Richter, Harold Warner, Connie Martin, Steven and Melissa Eshelman, Pamela Patterson, Trena and Shane Manor, Suzanne Simon, David Stuewe, Richard Orton, Jim Meinhardt, George and Jan Brown, Don and Betty Bretz, Virginia Glotzbach, Paul Seematter, as well as others on zoom.

**Road & Bridge**

Road & Bridge Supervisor Thayne Bush reported that he had won the bid on an Asphalt Zipper on Purple Wave. The machine will grind up layers of asphalt and refurbish it. It can grind up to 12 inches deep. This machine is intended for patching smaller stretches of road and will enhance the current patch system.

Commissioner Fager asked for an update on Old K-10, Bush responded that the chip seal has stabilized and is no longer leaching. The next step will be to have a big mill come in and resurface the top layer of road.

**Interservice EMS Recognition Award**

AMR Operations Manager Mickey Huber announced that each year AMR takes nominations for outstanding dispatchers and this year the award is being presented to Annette Glotzbach. This award was presented based upon recommendations from AMR employees who Annette has dispatched for 20 years. During the presentation, it was acknowledged that "Annette is the Conductor and the Emergency Personnel are the Orchestra." Professionalism, calmness during extreme emergencies, and the willingness to always pitch in are among Annette's most admired qualities.

**Conditional Use Permit Hearing**

At 9:30 AM Commissioner Fager called the Conditional Use Permit Hearing to order. Zoning Administrator Noel Sylvester presented CUP Renewal #105 filed by Jeremy Niederwerder for establishing a short-term rental at 235 W Flint Hills Dr, Lake Wabaunsee, Alma KS. The Planning Commission has denied the application unanimously, stating that all standards were met except #7 (prior to applying for the CUP property is to be owned for a minimum of 2 years).

Commissioner Fager asked for public comment. Jim Meinhardt, cabin owner at Lake Wabaunsee, spoke on behalf of the lake property owners in opposition of the application, emphasizing concern for

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following the rules/standards as they are written, stating that Lake Wabaunsee is zoned as single family residential and already has 9 short-term rentals in operation, and asked for the application to be delayed 2 years to be reapplied for once the standards are met.

Applicants Megan and Jeremy Niederwerder addressed the Commission stating that they had purchased the home while under the impression that they did/could meet all of the standards due to their family owning property previously at Lake Wabaunsee. The Standards do not specify what property, what length of time, and what percentage of ownership is intended. The family had owned a house at Lake Wabaunsee for 6 years prior to purchasing this property.

Pam Patterson, lake resident and neighbor-adjacent, shared concerns for the effect of short-term rentals on property values. Suzanne Simon, owner at Lake Wabaunsee, stated that her interpretation of the 2 year minimum was in direct association to the property that the CUP was filed for. Simon also stated that another application was denied earlier this year due to this same standard not being met, setting a precedent. Simon shared concern for boat traffic and boat enforcement on Lake Wabaunsee. Niederwerder responded that renters would not be allowed to take any motorized vehicles on the lake; bringing boats and pets would be prohibited. Richard Orton, fulltime resident at Lake Wabaunsee stated the Short-Term Rental Committee worked long hours to develop the standards around short-term rentals at Lake Wabaunsee and there should not be forgiveness for those who cannot meet the requirements. Orton stated that the City of Eskridge owns the waterfront and requires a permit for the dock and transfer of the dock. Buyers at the lake typically make application to the city prior to closing on the property so that they know if they get the dock or not prior to the purchasing the property; perhaps the CUP applications could be handled the same way.

County Attorney Tim Liesmann provided clarification that the Short-Term Rental Standards are not codified in the Zoning Regulations, they are recommendations. Liesmann cited that because of a protest petition filed in the Clerk's Office the Commission would be required to have a unanimous vote to overturn the Planning Commission's denial of the CUP.

Commissioner Allen moved to adopt Resolution 2022-24 denial of CUP #105 for the operation of a short-term rental at 235 W Flint Hills Dr, filed by Jeremy Niederwerder based on not meeting the standard of two-years of ownership; Commissioner Hier seconded. Motion carried 3-0.

#### **BUKATY Companies**

Cortny Hutchinson and Emily Ahlvers, Benefits Consultants with BUKATY Companies LLC presented an overview of what services their company offers and the Health Insurance rates that would be available to Wabaunsee County if they left the State Employee Health Plan and contracted directly with Blue Cross and Blue Shield of Kansas. BUKATY predicts considerable savings that could be redirected toward better benefits for employees or a higher percentage of the employer paid share of the premium. Commissioners will continue the discussion at the next meeting.



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**AMR Supplemental Reimbursement**

Commissioners discussed the AMR Supplemental Reimbursement request with AMR Operations Manager Mickey Huber. The request is for more than \$26,000 covering the expenses incurred while training new staff in March and April of 2022. Emergency Management Coordinator Amy Terrapin reported that the Ambulance Committee did not understand the contract to include any expense for training, the committee is of the unanimous opinion that no additional funds are owed at this time. Commissioners will continue the discussion at the next meeting.

**Other Business**

Commissioners reviewed and approved expenses for Aug 11-17, 2022. Chairman Fager reviewed and signed Daily Statements from August 12, 15, 16, 17 & 18, 2022.

Commissioner Allen moved to approve the minutes of the August 15<sup>th</sup> Commission Meeting; Commissioner Hier seconded. Motion carried 3-0.

At 11:19 AM Commissioner Hier moved to adjourn until Monday, August 29<sup>th</sup> at 9:00 AM; Commissioner Allen seconded. Motion carried 3-0.


Minutes approved this 29<sup>th</sup> day of August 2022.



Joel S. Fager, Chairman



Nancy L. Hier, Vice Chair



Rodney L. Allen, Member

Attest:



Abby L. Amick  
Wabaunsee County Clerk