

Wabaunsee County Commission
Wabaunsee County Courthouse, Alma, KS
Regular Meeting Minutes October 31, 2022

The Board of County Commissioners meeting in session Monday, October 31, 2022. Commissioners conduct the meeting in person and over ZOOM. Members attending were Nancy L. Hier, Rodney L. Allen and Joel S. Fager. Commissioner Hier called the meeting to order at 9:00 AM and opened with the Pledge of Allegiance. Road & Bridge Supervisor Thayne Bush, Zoning Administrator Noel Sylvester, Sheriff Rob Hoskins, Economic Development Director Jim MacGregor, Deputy Clerk Alissa Barber, Court Clerk Emma Leuthold, Deputy Court Clerks Connie Martin and Cindy Smith, County Attorney Tim Liesmann and County Clerk Abby Amick were in attendance in person others joined via zoom.

Road & Bridge Update

Road & Bridge Supervisor Thayne Bush presented an agreement from KDOT for the Authority to Award Contract and Commitment of County Funds on Bridge No. 25 near Maple Hill. Bush reported on the purchase of a used truck and spreader.

Commissioner Hier moved to approve the agreement with KDOT on Project Number 099 C-5112-01 utilizing contractor A M Cohron & Sons Inc on Bridge No. 25 located 1 mile east and 2 miles north of Maple Hill for \$1,810,314, with the grant covering \$1,000,000 of the project; Commissioner Allen seconded. Motion carried 3-0.

Economic Development Update

Economic Development Director Jim MacGregor announced the local nominees receiving recognition at the 'To the Stars Awards Ceremony' held by the Kansas Department of Commerce. Nominees included: Wabaunsee County Fair Association (Regional Winner), NextGen Cattle Co, Alta Vista Meat Co, Tower Metal Works and Alma Creamery.

MacGregor updated the Commissioners on the 2021 Marketing Grant that is providing a tourism website for the county. The website is in the final review stage and will be live soon. MacGregor reported that the county is awaiting announcements on grant applications related to broadband, he expects announcements to be made mid-November. MacGregor reminded Commissioners of Small Business Saturday, on November 26th there will be small businesses participating across the county, including the Wabaunsee County Farmers Market, the Callea Mae 5K and shop small promotions.

Other Business

District Court Clerk Emma Leuthold introduced Cindy Smith as the newly hired Deputy Court Clerk. Smith will be in the office 2.5 days per week.

Deputy County Clerk and Transportation Manager Alissa Barber presented an updated copy of the Title VI Program for Wabaunsee County Public Transportation. Commissioners reviewed and signed the updated policy. Barber and Connie Martin presented

Commissioner Fager moved to approve the minutes of the October 24, 2022 Commission Meeting; Commissioner Allen seconded. Motion carried 3-0.

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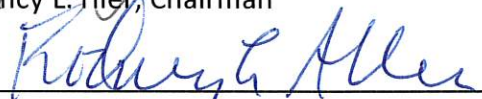
Commissioners reviewed and approved expenses from October 20 - 26, 2022. Chairman Hier reviewed and signed Daily Statements for October 21, 24, 25, 26 & 27, 2022.

At 10:00 AM Commissioner Fager moved to adjourn until Monday, November 7th at 9:00 AM; Commissioner Allen seconded. Motion carried 3-0.

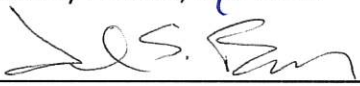
Minutes approved this 7th day of November 2022.



Nancy L. Hier, Chairman



Rodney L. Allen, Vice Chair



Joel S. Fager, Member

Attest:



Abby L. Amick
Wabaunsee County Clerk



RESOLUTION NO. 2022 -32
(Woodward Rental Business Renewal) [Renewal of Resolution 2020-27, Recorded in
Wabaunsee County Register of Deeds Office in Record 250, Page 76, original Resolution 2018-28
Recorded in Record 250 Page 76])

WHEREAS, pursuant to K.S.A. 12-757, and amendments thereto The Board of County Commissioners of Wabaunsee County, Kansas have considered the following recommendation of the Wabaunsee County Planning and Zoning Commission and;

WHEREAS, the Wabaunsee County Planning and Zoning Commission pursuant to K.S.A. 12-757, as amended, following published notification; and,

WHEREAS, good and proper written notification was provided to all landowners within the prescribed distance set out in the Wabaunsee County Zoning Regulations and K.S.A. 12-757(b) and,

WHEREAS, the Wabaunsee County Planning Commission has conducted a public hearing on the request of Jim Woodward, for conditional use permits for the establishing a short term rental business on three properties. The properties affected are 421 E Flint Hills Dr, Alma KS 66401 with legal descriptions as follows:

The West Half of Lot 1 and all of Lot 2, Block 55A and all of Lot 1, Block 55B, except that part conveyed by deed of Record 5 Page 1 being a portion of platted section which is known as Wabaunsee county State park, Wabaunsee County, Kansas.

LESS:

The West Half (W1/2) of Lot one (1), Block Fifty-five (A) (55-A); All of lot (2), Block Fifty-five (A) (55-A; and A portion of Lot One (1), Forty (40) feet by seventy-five (75) feet, Block Fifty-five (B) (55-B), lying immediately south of Lot 2, Block 55-A, and all being a portion of the platted section of what is known as Wabaunsee County STATE Park, Wabaunsee, Kansas.

All in Wabaunsee County, Kansas

WHEREAS, the Wabaunsee County Planning and Zoning Commission has by a

majority vote of a quorum of its membership recommended that the Governing Body of Wabaunsee County, Kansas, approve said Conditional Use permit as proposed subject to the following conditions:

1. The Conditional Use Permit (CUP) holder shall maintain a list of all individuals using the rental structure, including name, address, and telephone information and the dates and times they stayed.
2. CUP holders shall maintain liability insurance on the rental structure and provide proof within 14 days of CUP approval and upon request by the Zoning Administrator. Aggregate policy limits shall be at least \$1,000,000 for liability coverage.
3. CUP holders shall provide and have available for review a guest book that provides guidance to renters on appropriate land usage, parking, trespassing, quiet hours and other items of interest to renters.
4. CUP holders shall provide all neighbors within 100 ft of the property with the CUP holders' contact information including home or mobile number. CUP holders shall also designate a point of contact who is a full-time resident of Lake Wabaunsee and provide such information to the neighbors and the Zoning Administrator.
5. CUP holders shall abide by all State, County, Lake or applicable City regulations and make reasonable efforts to ensure renters do the same.
6. CUP holders will monitor burn bans and if a ban impacts a time when renters are present, the CUP holder or Point of Contact shall take reasonable steps to secure any fire pit or fire area to ensure it is not used.
7. The CUP will be in effect for two years from Board of Commissioner approval after which it will expire unless a renewal is applied for and granted. An annual review with the owner and Zoning Administrator will be completed within 30 days of the permit anniversary date.
8. CUP holder will have trash service with LWID and provide proof with the CUP Application.

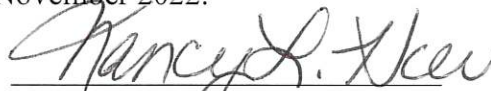
WHEREAS, the Board of County Commissioners of Wabaunsee County, Kansas, in due and regular session, met on the 7th day of November, 2022 and after public discussion voted to approve the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WABAUNSEE, COUNTY KANSAS, that:

The above described property hereafter is granted the conditional use permit requested as described above and on the conditions stated.

BE IT FINALLY RESOLVED that this resolution shall be effective upon publication in the *Wabaunsee County Signal Enterprise*.


ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Wabaunsee County, Kansas this 7th day of November 2022.


Nancy Hier, Chairman


Rodney Allen, Commissioner


Joel Fager, Commissioner

Attested by:


Abby Amick, County Clerk



RESOLUTION NO. 2022 - 33
(Miller Furniture Store CUP)

WHEREAS, pursuant to K.S.A. 12-757, and amendments thereto The Board of County Commissioners of Wabaunsee County, Kansas have considered the following recommendation of the Wabaunsee County Planning and Zoning Commission and;

WHEREAS, the Wabaunsee County Planning and Zoning Commission pursuant to K.S.A. 12-757, as amended, following published notification; and,

WHEREAS, good and proper written notification was provided to all landowners within the prescribed distance set out in the Wabaunsee County Zoning Regulations and K.S.A. 12-757(b) and,

WHEREAS, the Wabaunsee County Planning Commission has conducted a public hearing on the request by Kevin and Christina Miller for establishing a retail furniture store that would include a residence in the same building at 00000 K99 Hwy Wamego KS on described property as follows:

The West Half (W/2) of the Northeast Quarter (NE/4) of Section 28, Twp 10, Range 10 East of the 6th P.M., situate in Wabaunsee County, Kansas, LESS a tract in said Northeast Quarter described as beginning at a point on the East line of Highway K-99 that is S. 00 degrees 00' 26" W. (bearing from Force Survey dated May, 1993) 76.99 feet and S. 89 degrees 59' 34" E. 46.70 feet from the Northwest Corner of the NE/4 of said Section 28, said point being marked by a ½" iron bar; thence S. 53 degrees 08' 15" E. 574.28 feet to a ½" iron bar; thence S. 24 degrees 44' 37" W. 215.91 feet to the corner of a 12" metal pipe; thence N. 52 degrees 54' 20" W. 197.46 feet to a ½ iron bar; thence N. 85 degrees 21' 34" W. 222.38 feet to the East line of said State Highway K-99 and a ½" iron bar; thence N. 00 degrees 00' 26" E. 33.80 feet along the East line of said State Highway K-99 to a ½" iron bar; thence S. 89 degrees 59' 34" E. 10.00 feet along the East line of said State Highway 99 to a ½" iron bar, thence N. 00 degrees 26" E. 369.7'1 feet along the East line of said State Highway K99 to the point of beginning, said excepted tract containing 2.854 acres.
All in Wabaunsee County, Kansas

WHEREAS, the Wabaunsee County Planning and Zoning Commission has by a majority vote of a quorum of its membership recommended that the Governing Body of Wabaunsee County, Kansas, approve said Conditional Use permit as proposed subject to the following conditions:

- 1) The property may be used for a single family dwelling and furniture manufacture and retail sales.
- 2) Any applicable Federal, State, or local regulations will be followed.
- 3) Signage will be consistent with agricultural zoning regulations.
- 4) The business shall be conducted in accordance with the application submitted.

WHEREAS, the Board of County Commissioners of Wabaunsee County, Kansas, in due and regular session, met on the 7th day of November, 2022 and after public discussion voted to approve the conditional use permit.

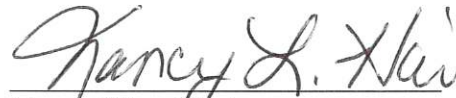
NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WABAUNSEE, COUNTY KANSAS, that:

The above described property hereafter is granted the conditional use permit requested as described above and, on the conditions, stated.

BE IT FINALLY RESOLVED that this resolution shall be effective upon publication in the *Wabaunsee County Signal Enterprise*.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of

Wabaunsee County, Kansas this 7th day of November, 2022.


Nancy Hier, Chairman


Rodney Allen, Commissioner


Joel Fager, Commissioner

Attested by:


Abby Amick, County Clerk



RESOLUTION NO. 2022 - 34
(Diller Metal Roofing CUP)

WHEREAS, pursuant to K.S.A. 12-757, and amendments thereto The Board of County Commissioners of Wabaunsee County, Kansas have considered the following recommendation of the Wabaunsee County Planning and Zoning Commission and;

WHEREAS, the Wabaunsee County Planning and Zoning Commission pursuant to K.S.A. 12-757, as amended, following published notification; and,

WHEREAS, good and proper written notification was provided to all landowners within the prescribed distance set out in the Wabaunsee County Zoning Regulations and K.S.A. 12-757(b) and,

WHEREAS, the Wabaunsee County Planning Commission has conducted a public hearing on the request by Delbert & Mary Diller for establishing a business to form metal roofing at 00000 K99 Hwy Wamego KS on described property as follows:

The West Half (W/2) of the Northeast Quarter (NE/4) of Section 28, Twp 10, Range 10 East of the 6th P.M., situate in Wabaunsee County, Kansas, LESS a tract in said Northeast Quarter described as beginning at a point on the East line of Highway K-99 that is S. 00 degrees 00'26" W. (bearing from Force Survey dated May, 1993) 76.99 feet and S. 89 degrees 59' 34" E. 46.70 feet from the Northwest Corner of the NE/4 of said Section 28, said point being marked by a ½" iron bar; thence S. 53 degrees 08' 15" E. 574.28 feet to a ½" iron bar; thence S. 24 degrees 44' 37" W. 215.91 feet to the corner of a 12" metal pipe; thence N. 52 degrees 54' 20" W. 197.46 feet to a ½ iron bar; thence N. 85 degrees 21' 34" W. 222.38 feet to the East line of said State Highway K-99 and a ½" iron bar; thence N. 00 degrees 00' 26" E. 33.80 feet along the East line of said State Highway K-99 to a ½" iron bar; thence S. 89 degrees 59' 34" E. 10.00 feet along the East line of said State Highway 99 to a ½" iron bar, thence N. 00 degrees 26" E. 369.7'1 feet along the East line of said State Highway K99 to the point of beginning, said excepted tract containing 2.854 acres.
All in Wabaunsee County, Kansas

WHEREAS, the Wabaunsee County Planning and Zoning Commission has by a

majority vote of a quorum of its membership recommended that the Governing Body of Wabaunsee County, Kansas, approve said Conditional Use permit as proposed subject to the following conditions:

- 1) The property shall be used to create metal roofing.
- 2) Any applicable Federal, State, or local regulations will be followed.
- 3) Signage will be consistent with agricultural zoning regulations.
- 4) The business shall be conducted in accordance with the application submitted.

WHEREAS, the Board of County Commissioners of Wabaunsee County, Kansas, in due and regular session, met on the 7th day of November, 2022 and after public discussion voted to approve the conditional use permit.

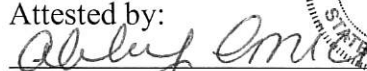
NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WABAUNSEE, COUNTY KANSAS, that:

The above described property hereafter is granted the conditional use permit requested as described above and, on the conditions, stated.

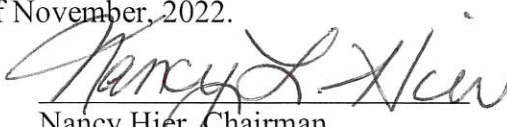
BE IT FINALLY RESOLVED that this resolution shall be effective upon publication in the *Wabaunsee County Signal Enterprise*.

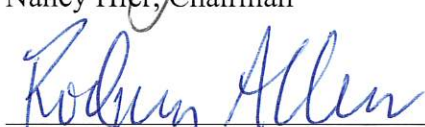
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Wabaunsee County, Kansas this 7th day of November, 2022.

Attested by:


Abby Amick, County Clerk




Nancy Hier, Chairman


Rodney Allen, Commissioner


Joel Fager, Commissioner