

**Wabaunsee County Commission**  
**Wabaunsee County Courthouse, Alma, KS**  
**Regular Meeting Minutes September 19, 2022**

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The Board of County Commissioners meeting in session Monday, September 19, 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 at 9:00 AM and opened with the Pledge of Allegiance. Road & Bridge Supervisor Thayne Bush, Road & Bridge Assistant Supervisor Josh Hinch, Zoning Administrator Noel Sylvester, Treasurer Karen Callaway, Appraiser Ryan Michaelis, members of the public Holly Higgins, Anthony Heigert, Kevin Smith, Chuck and Sam Kidd, and Kent Palmburg, County Attorney Tim Liesmann and County Clerk Abby Amick were in attendance in person others joined via zoom.

**Road & Bridge**

Road & Bridge Supervisor Thayne Bush provided a list of surplus equipment that he plans to list with Purple Wave Auction in accordance with the County Disposition Policy.

9:17 AM Commissioner Fager moved to enter Executive Session for 10 minutes regarding Road & Bridge job applicants; Commissioner Allen seconded. Motion Carried 3-0.

9:27 AM Commissioners returned from Executive Session. No Action was taken.

**Planning & Zoning Update**

Zoning Administrator Noel Sylvester provided an update from the recent Planning Commission meeting. Sylvester recommended Fred Cummings of Alta Vista fill the vacant position on the Planning Commission representing Commissioner District #1.

Commissioner Fager moved to appoint Fred Cummings to the Wabaunsee County Planning Commission filling the Commission District #1 position; Commissioner Allen seconded. Motion carried 3-0.

Sylvester reported that there are ongoing concerns about solar and the future of solar in Wabaunsee County. The Planning Commission is requesting a 6 month extension to the current moratorium on commercial solar development.

Commissioner Allen moved to extend the moratorium until June 30, 2023 or until standards and regulations are adopted; Commissioner Hier seconded. Motion carried 3-0.

**Conditional Use Permit Hearing**

At 10:00 AM Commissioner Fager called the Conditional Use Permit Hearing to order. Zoning Administrator Noel Sylvester presented CUP Renewal #111 filed by Curtis Capoun for quarry operation; the CUP Renewal passed the Planning Commission.

Commissioner Fager moved to adopt Resolution 2022-27 a Resolution for quarry operation submitted by Curtis Capoun agent for Dwight Tolbert for the property located at 31425 Hendricks Creek Road; Commissioner Allen seconded. Motion carried 3-0.

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Sylvester presented CUP Renewal #106 filed by Higgins Stone for quarry operation; the CUP Renewal passed the Planning Commission.

Commissioner Allen moved to adopt Resolution 2022-28 a Resolution for quarry operation submitted by Higgins Stone agent for Michael Higgins for establishing a private road on property and quarry rock for the property located on Massasoit Road; Commissioner Hier seconded. Motion carried 3-0.

Sylvester presented CUP #92 filed by Higgins Stone for quarry operation; the CUP failed the Planning Commission 13-1. Residents Kevin Smith, Chuck and Sam Kidd, and Kent Palmburg presented concerns for the road conditions of the proposed haul route and safety along the haul route. Holly Higgins spoke on behalf of the application, stating that they were working with Norma Vilander to get the property in compliance; Vilander's were not aware that they did not have a current CUP on the quarry. Commissioners received and read a letter from Bruce B. Waugh dated September 13<sup>th</sup> testifying against the CUP.

Commissioner Allen moved to adopt Resolution 2022-29 a Resolution denying CUP #92 submitted by Higgins Stone agent for Norma Vilander for establishing a quarry on the property located at 00000 Nighthawk Road; Commissioner Hier seconded. Motion carried 3-0.

#### **Appraiser Update**

Appraiser Ryan Michaelis reported that the State PVD (Property Valuation Division) has reported ratios for appraisers across the State. Wabaunsee County is at 79% for Residential House Values across the County. Michaelis explained that currently, the county is valuing residential at 10-15% below the target of 90% of market value. There are 17 counties in the State who are out of compliance on valuations this year. The Appraiser is required to remain in compliance or the State will take corrective action.

#### **Other Business**

Commissioners reviewed and signed a letter regarding tax delinquency and the Neighborhood Revitalization Plan eligibility. Liesmann updated the Commission that the Sheriff Department will be overseeing the management and reporting of funds received through the Opioid Settlement.

Commissioner Fager moved to approve the Cereal Malt Beverage Permit for Little Munchkins Pumpkin Patch and Farm Activities LLC at 29583 Low Water Road North, Alma; Commissioner Hier seconded. Motion carried 3-0.

Commissioner Fager moved to appoint Juanita Hedges and Alissa Barber to witness the destruction of election material whose retention period has expired in accordance with K.S.A. 25-2708; Commissioner Hier seconded. Motion carried 3-0.

Commissioner Hier moved to adopt the employer health insurance premium contributions as presented for 2023; Commissioner Allen seconded. Motion carried 3-0.

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Commissioner Fager moved to approve the minutes of the September 12<sup>th</sup> Commission Meeting; Commissioner Hier seconded. Motion carried 3-0.

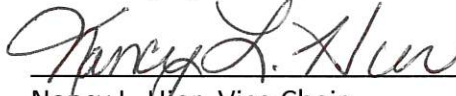
Commissioners reviewed and approved expenses from September 8 -14 and added tax #2021-06 in the amount of \$281.68. Chairman Fager reviewed and signed Daily Statements for September 8, 9, 12, 13, 14 & 15, 2022.

At 10:55 AM Commissioner Allen moved to adjourn until Monday, September 26<sup>th</sup> at 9:00 AM; Commissioner Hier seconded. Motion carried 3-0.

Minutes approved this 26<sup>th</sup> day of September 2022.



Joel S. Fager, Chairman



Nancy L. Hier, Vice Chair



Rodney L. Allen, Member

Attest:



Abby L. Amick  
Wabaunsee County Clerk