

**THE MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF MIAMI COUNTY, KANSAS**

The Board of Miami County Commissioners met in regular session, in the Commissioners' Meeting Room, Miami County Administration Building, Paola, Kansas, on February 14, 2018. Those present were:

Phil Dixon, Chairman	Shane Krull, County Administrator
Rob Roberts, Pro-Tem	David Heger, County Counselor
Ron Stiles, Commissioner	Janet White, County Clerk
Danny Gallagher, Commissioner	Amanda Curnutte, Executive Secretary
George Pretz, Commissioner	

Members of the Press: Brian McCauley, Miami County Republic

Visitors: Richard Lentz, Gary Gerken, Rusty Gerken, Mose Cox, Rebecca Brandt, Don Bucher, Brenda Fritts, Maggie Doherty, Doug Lewis, and Bo Gerken

CALL TO ORDER

Chairman Dixon called the meeting to order at 1:00 p.m.

CONSENT AGENDA

Commissioner Roberts moved to approve the Consent Agenda, with two additions, as follows:

- Minutes of the County Commission meeting of January 31, 2018.
- Addition: Corrected Minutes of the County Commission meeting of January 24, 2018
- Vouchers and Payroll
- Right of Way Purchase – Project No. 13-01-SB-ST (621) (C18-02-003)
-Property Owner: Kenneth L. Sloan
- Notice to Proceed – Project 15-10-SB (640), Bridge 5.5-J.5
- Agreement – Project 15-10-SB (640), Baldrige Engineering (A18-02-003)
- Agreement – Project 13-02-SB (622), Baldrige Engineering (A18-02-004)
- Re-Appoint Mr. Patton M Apple to Sixth District Judicial Nominating Commission
- Addition: Corrections of Irregularities

Commissioner Pretz seconded; the vote was unanimous.

UNFINISHED BUSINESS

Teresa Reeves, Director of Planning & Zoning, provided an updated memo, for the current 13002-CUP, to the board regarding the status of requests from the January 24, 2018 Board of County Commission Meeting. The correction of the lights on the outside of the building have been completed. The Certificate of Occupancy permit is ready to be

released today. The electrical lines from the existing church are now buried underground. Mrs. Reeves stated her office notified the applicants, this morning, regarding the lighting on the outside of the storage building does not comply. The applicants have agreed to change the light.

Commissioner Roberts moved to issue the Certificate of Occupancy permit for the original C.U.P. and the release of the bond. Commissioner Roberts is trusting the applicants will change the storage light as needed. Commissioner Pretz seconded the motion and the vote was unanimous.

Mrs. Reeves addressed the new 17005-C.U.P. that has been applied for and stated the stormwater Plan for the entire church property has been completed. A revised site plan has been received and several corrections need to be made. Mrs. Reeves did point out that depending on the changes made to the site plan, it could affect the stormwater plan. She stated her office has received complaint calls from surrounding neighbors regarding the lighting.

The applicants stated no lighting or sound systems will be installed for the athletic fields

The board reviewed the conditions of the new C.U.P.

Conditions

1. The operation of the church (with playground) shall adhere to Exhibit A (the applicant's narrative), and the submitted site plan except as amended by these conditions. The uses of ~~a preschool and~~ sports related facilities (~~swimming pool and~~ ballfields) for public use (by other than members of the church) are denied.
2. Upon approval of this Conditional Use Permit (17005-CUP) the previous Conditional Use Permit (13002-CUP, approved on May 29, 2013 by Resolution R13-050-020) shall be considered null and void.
3. Any illumination associated with parking or outdoor activities shall be shielded so that the light source (bulb) is not visible from, and so that it does not cast light upon, adjacent properties or rights-of-way. Any lighting for the parking areas or other portions of the site shall not exceed twenty-five (25) feet in height, and shall adhere to standards for parking lot lighting outlined in the zoning regulations. *No lighting of the ballfields shall be permitted.*
4. Amplified voices and music shall not to exceed ~~70~~ db at property lines.
5. The Applicant is required to pay for public road signage stating that no parking is permitted along Harmony Rd. Such signage is to be installed by the County.
6. Detached signage shall be limited to the location shown on the submitted site plan. Permits are required for all new signs. *Sign plans must be approved by the Planning Commission. Signage shall be allowed to utilize the increased sign area allowed in the C-2 district as previously allowed by Resolution R15-01-004. ~~and all signage shall meet the requirements for churches in the Countryside zoning district per §18-7.01.2 of the Zoning Regulations.~~*

7. Prior to the issuance of any building permits the following plans/studies must be submitted *and approved by the County*:
 - a. A stormwater management plan that meets Miami County standards, prepared by a Kansas licensed Professional Engineer.
8. No building permits shall be approved or expansion of use initiated in any way pertaining to this conditional use permit prior to completion of the storage building in compliance with all building code and floodplain development requirements or prior to the removal of the improvements made for the ballfields. Said storage building shall only be used for storage purposes and any change in use shall require *prior* approval of an amended conditional use permit.
9. The term of this conditional use permit shall be ten (10) years, commencing from the date of County Commission approval. This conditional use permit shall be reviewed by the Planning Commission for compliance in one year from the date of approval by the Board of County Commissioners.
10. Events shall be limited to one Saturday per month from April through October from 1 PM to 6 PM..

The board decided conditions #8 and #10 can be deleted.

Commissioner Stiles suggested reviewing the use of the athletic fields in one year to see how church events have taken place. He stated the church will be up for review in ten years, but he is not sure they need to go through the entire C.U.P. process at that time.

Several surrounding neighbors of the church were present and expressed their disagreement with the athletic fields.

Commissioner Pretz moved to approve the church expansion and deny the public use of the athletic fields. He stated the athletic fields can be used for church use only. The use of the athletic fields will be reviewed in one year. The church will be reviewed in ten years. Commissioner Stiles seconded the motion and the vote was unanimous.

NEW BUSINESS

Linda Taylor, of Human Resources, requested the board to consider a cost sharing opportunity between the county and employees for both CardiOptics screenings; heart, vascular and cancer. The cost for the screenings is \$265.00 per employee and the request is for the County to pay half of that amount, \$135.50. The employee portion could be paid using F.S.A. funds, H.S.A. funds, personal check, or payroll deduction. Further discussions will take place at a later time regarding the possibility of spouses paying full price or receiving the cost share. Commissioner Stiles moved to approve the request and Commissioner Gallagher seconded; the vote was unanimous.

Matthew Oehlert, Miami County Project Manager, requested the board to consider authorizing bridge project FAS 590, Project 18-01-SB (648) Polymer Overlay, located on Old K.C. Road, 0.9 miles south of 255th Street. Commissioner Stiles moved to approve the project authorization. Commissioner Gallagher seconded the motion and the vote

was unanimous.

Matthew Oehlert, Miami County Project Manager, requested the board to consider authorizing culvert replacement on Project No. 18-02-SB (649), located on 271st Street, 0.5 miles east of Mission Belleview. Commissioner Gallagher moved to approve the project authorization and Commissioner Stiles seconded; the vote was unanimous.

Matthew Oehlert, Miami County Project Manager, requested the board to consider authorizing culvert replacement on Project No. 18-03-SB (653), located on Lone Star Road, 0.5 miles north of 287th Street. Commissioner Stiles moved to approve the project authorization and Commissioner Gallagher seconded; the vote was unanimous.

Matthew Oehlert, Miami County Project Manager, requested the board to consider authorizing asphalt overlay on Project No. 18-04-CO (654), located on 223rd Street, between Columbia and Gardner Road. Commissioner Gallagher moved to approve the project authorization and Commissioner Stiles seconded; the vote was unanimous.

Matthew Oehlert, Miami County Project Manager, requested the board to consider authorizing asphalt overlay on Project No. 18-05-CO (655), located on 343rd Street, between Hospital Drive and US169 Highway. Commissioner Pretz moved to approve the project authorization and Commissioner Roberts seconded; the vote was unanimous.

Shane Krull, Miami County Administrator, requested the board to consider authorizing Commission Chairman to sign letter request for aircraft display at Miami County Airport. Commissioner Pretz moved to approve the letter and Commissioner Gallagher seconded; the vote was unanimous.

Holly Ray, Director of Human Resources, requested the board to consider approval of reclassification of the following positions:

- FT Office Assistant to FT Appraiser
- PT Office Assistant to PT Appraiser I
- PT Sheriff Deputy to PT Maintenance Worker I

Commissioner Stiles moved to approve the reclassification of the Appraiser positions and Commissioner Gallagher seconded; the vote was unanimous.

Commissioner Roberts moved to approve the Sheriff's Office position and Commissioner Pretz seconded; the vote was unanimous.

J.R. McMahon, Director of Public Works Road & Bridge, requested the board to consider the approval of a request to solicit bids for a 10-foot Flex-Wing Mower. Commissioner Gallagher moved to approve the request. Commissioner Pretz seconded the motion and the vote was unanimous.

Darryl White, Noxious Weed Director, requested the board to consider the approval of the following:

- 2017 Noxious Weed Eradication Progress Report
- 2018 Noxious Weed Management Plan
- Appointment of Darryl White as the Noxious Weed Supervisor for 2018

Commissioner moved to approve the Progress Report, Management Plan, and the

appointment. Commissioner seconded and the vote was unanimous.

J.R. McMahon, Director of Public Works Road & Bridge, requested the board to consider approval of 10-miles of gravel roads to Chip/Seal Improvement. Commissioner Roberts moved to approve the 10-miles of gravel roads treated with Chip/Seal and Commissioner Pretz seconded; the vote was unanimous.

David Heger, Miami County Counselor, requested the board to consider approval of resolution (R18-02-005) establishing Commission Districts, pursuant to K.S.A. 19-204 and 2016 population estimates, with no changes. Commissioner Gallagher moved to approve the resolution and Commissioner Stiles seconded; the vote was unanimous.

Shane Krull, Miami County Administrator, addressed matters pertaining to the detention center project. He stated the County is releasing \$584,000.00 of the retainage to Loyd Builders, today.

REPORTS FROM STAFF, COMMITTEES, OFFICERS

Matthew Oehlert, Miami County Project Manager, informed the board that the bridge project on 363rd Street, west of Harmony Road will start on Monday, February 19, 2018 and will take approximately 120-Calendar Day project.

PRESENTATIONS BY MEMBERS OF THE COMMISSION

Commissioner Pretz stated the board has been invited to the Darol Rodrock Foundation meeting taking place on Monday, February 19, 2018 at 10:00 a.m. located at the Ursuline Academy in Paola. The lunch will be served at the Paola Country Club, following the meeting. The meeting will be to address the transition of teens aging out of foster care.

Commissioner Pretz reminded the board of the Miami County Republican Party meeting taking place on February 22, 2018 at Spudley's in Paola. Dinner is scheduled for 5:00 p.m. and the meeting will begin at 6:00 p.m.

ADJOURNMENT

The meeting was adjourned at 2:18 p.m.



ATTEST:

Janet White, County Clerk

Phil Dixon, Chairman