

*Members of the public wishing to speak during Public Comment or on Items of Business must register with the County Clerk prior to the beginning of the meeting.*

## **AGENDA**

### **BOARD OF FRANKLIN COUNTY COMMISSIONERS Wednesday, Jan. 27, 2016 | 8:30 a.m.**

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#### **TO BE HELD IN THE ANNEX COMMISSION CHAMBERS**

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**A. CALL TO ORDER**

**B. ROLL CALL:**

Waymire    Howard    Dunn    Harris    Renoud

**C. PLEDGE OF ALLEGIANCE**

**D. INVOCATION:**

1. Invocation Led By Rev. Todd Miller, Cherry Street Wesleyan Church, Ottawa.

**E. CORRESPONDENCE & ORGANIZATIONAL BUSINESS**

**F. PUBLIC COMMENT:**

A citizen desiring to speak on an item not on the agenda may do so at this time. Discussion is limited to five minutes and the Commission will not take action or discuss items at this time. Discussion should be limited to matters of County Commission business and public comment is not permitted in regard to personnel matters or on pending legal matters. Items introduced under '**Public Comment**' may become agenda items at a later date.

**G. CONSENT AGENDA:**

Items listed on the '**Consent Agenda**' are considered routine and shall be enacted by one motion of the Board of Commissioners with no separate discussion. If separate discussion is desired by a member of the Governing Body, that item may be removed from the '**Consent Agenda**' and placed on the regular agenda '**Items of Business.**'

1. Consider And Approve Franklin County Minutes For Jan. 20, 2016 And Commission Study Session Jan. 25, 2016.
2. Consider And Approve Claim Vouchers And Tax Change Orders.

**H. ITEMS OF BUSINESS:**

1. Recognition Of Keith Clark, Community Corrections Director, For His 13 Years Of Service And Presentation Of Plaque.
2. Approval Of A Resolution Accepting The Letter Of Withdrawal Of Special Use Permit #1506-1353 (Martin) And Declaring All Previous Approvals And Matters Related To The Special Use Permit To Be Null And Void. Larry Walrod, Planning & Building Director

Documents: [2015 0127 1506-1353 martinwithdrawal\\_01272016.pdf](#)

3. Approval Of Appointment Of Non-Lawyer Members To The Judicial Nominating Commission. Jon Holmes, Administration

Documents: [2016 0127 judicial nominating commission cv.pdf](#), [2016 0127 judicial nominating commission letter.pdf](#)

**I. STAFF REPORTS**

**J. COMMISSIONER COMMENTS AND BOARD REPORTS**

**K. CONSIDER A MOTION FOR ADJOURNMENT**

**L. INFORMATION AND ANNOUNCEMENTS:**

1. UpComing Events

- Commission Meeting on Feb. 3, 2016 at 8:30 A.M.
- Commission Study Session on Feb. 8, 2016 at 8:30 A.M.
- Commission Meeting on Feb.10, 2016 at 8:30 A.M.
- Management Luncheon on Feb. 10, 2016 in the Commission Chambers at Noon
- Commission Meeting Feb. 17, 2016 at 8:30 A.M.
- Joint City/County/School Board Luncheon on Feb. 17, 2016 at City Hall Commission Chambers at Noon.
- Commission Study Session on Feb. 22, 2016 at 8:30 A.M.
- Commission Meeting on Feb. 24, 2016 at 8:30 A.M.

# Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners  
From: Larry D. Walrod *LDW*  
Department: Planning & Building  
Date: Wednesday, January 27, 2016

## AGENDA ITEM NARRATIVE

Approval of a Resolution accepting the “Letter of Withdrawal of Special Use Permit #1506-1353 (Martin) and declaring all previous approvals and matters related to the Special Use Permit to be Null and Void.

## BACKGROUND

At their meeting of December 17<sup>th</sup>, 2015, the Planning Commission directed Staff to set a public hearing for January 21<sup>st</sup>, 2016, to consider the modification or revocation of Special Use Permit #1506-1353 (Martin) for the “hosting and operation of a Motocross Safety Camp”. The basis for this decision was the Staff recommendation after conducting an investigation into various complaints that were received by landowners adjacent to the subject property. The investigation revealed that the requirements set forth in Condition #2 of Resolution #15-28 approving the Special Use Permit regarding liability insurance for the Motocross Safety Camp may not have been satisfied and may be a serious violation of the approval.

On December 29<sup>th</sup>, 2015, the Planning Director and County Counselor met with the Martin’s to review the issues noted in the complaint of violations submitted by the surrounding property owners and to clarify the issues regarding proof of liability insurance.

After considering the violations complaint, together with other personal objectives and related issues, the Martin’s expressed their decision would be to withdraw their application for Special Use Permit #1506-1353, (for hosting and operating a Motocross Safety Camp) from further processing. On December 31<sup>st</sup>, 2015, the County received an email addressed to the Franklin County Planning Commission withdrawing the Special Use Permit Application

At their meeting of January 21<sup>st</sup>, 2016, the Planning Commission did approve a resolution to accept the “Letter of Withdrawal of Special Use Permit #1506-1353 (Martin) and declaring all previous approvals and matters related to the Special Use Permit to be Null and Void.

## SPECIFIC ACTION REQUESTED

Staff recommends that the County Commissioners accept the Planning Commission’s recommendation and adopt the attached resolution accepting the “Letter of Withdrawal of Special Use Permit #1506-1353 (Martin) and declaring all previous approvals and matters related to the Special Use Permit to be Null and Void.

## ATTACHMENTS

Applicant’s Letter of Withdrawal  
Resolution

December 31, 201

Franklin County Planning Commission  
Attn: Derek Brown and Larry Walrod  
1428 S. Main, Ste #5  
Ottawa, KS 66067

RE: Special Use Permit #1506-1353

Dear Larry and Derek,

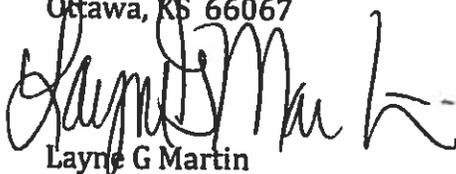
We are withdrawing our Special Use Permit #1506-1353 from processing.

Thank you for your support and assistance during this application period.

Sincerely,



Harold E Martin  
3422 Tennessee Road  
Ottawa, KS 66067



Layne G Martin  
3422 Tennessee Road  
Ottawa, KS 66067

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**BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 16- \_\_\_\_\_

A RESOLUTION ACCEPTING A "LETTER OF WITHDRAWAL OF SPECIAL USE PERMIT #1506-1353 (MARTIN) FOR THE HOSTING AND OPERATION OF A MOTOCROSS SAFETY CAMP" AND DECLARING ALL PREVIOUS APPROVALS AND MATTERS RELATED TO THE SPECIAL USE PERMIT TO BE NULL AND VOID.

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, The Franklin County Board of County Commissioners did adopt Resolution # 23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS, the Franklin County Planning Commission did publish notice as required by K.S.A. 12-757 and Article 19, Section 19-5.03 of the County Zoning Regulations that a public hearing would be held to consider modification or revocation of Resolution #15-28 Approving Special Use Permit #1506-1353 (Martin); and

WHEREAS, the Planning Commission did on December 31, 2015 receive a letter from Harold and Layne Martin withdrawing their application for a Special Use Permit (Special Use Permit #1506-1353) from further consideration.

WHEREAS, the Franklin County Planning Commission, on January 21, 2016 in regular session and by a unanimous vote of those members present, adopted a resolution accepting the "Letter of Withdrawal of Special Use Permit #1506-1353 (Martin) and declaring all previous approvals and matters related to the Special Use Permit to be Null and Void; and

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby accept the Letter of Withdrawal of Special Use Permit #1506-1353 submitted by Harold and Layne Martin and further declares all previous approval and related matters approved by Resolution #15-28 to be Null and Void.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 27<sup>th</sup> day of January, 2016. This action shall become effective upon publication in the official county newspaper.

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Richard A. Howard  
Chairman

Received and recorded this the 27<sup>th</sup> day of January, 2016.

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Janet Paddock  
County Clerk

# Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners  
From: Jon Holmes  
Department: Administration  
Date: 1/27/2016

## **AGENDA ITEM NARRATIVE**

Approval of Appointment of Non-Lawyer Members to the Judicial Nominating Commission.

## **BACKGROUND**

In Accordance with the provisions of K.S.A. 20-2905(a)(3), it will be necessary for a member of the board of county commissioners to appoint someone to fill the vacancy created.

## **SPECIFIC ACTION REQUESTED**

The member who is presently serving may be reappointed, or you may make a new appointment. The term of office for a new appointment will be from March 7, 2016 to March 2, 2020.

## **ATTACHMENTS**

Letter.

# The Supreme Court of Kansas



KANSAS JUDICIAL CENTER  
301 SW 10<sup>th</sup> Avenue  
Topeka, Kansas 66612

December 21, 2015

Linda S. Meier, County Clerk  
Franklin County Courthouse  
301 S Main  
PO Box 637  
Ottawa, KS 66067-0637

Re: Appointment of Non-Lawyer Members to the Judicial Nominating Commission

Dear Ms. Meier:

The term(s) of office for the following non-lawyer member(s) of the Fourth District Judicial Nominating Commission will expire the first Monday in March 2016.

Sara E. Caylor

In accordance with the provisions of K.S.A. 20-2905(a)(3), it will be necessary for a member of your board of county commissioners to appoint someone to fill the vacancy created.

The member who is presently serving may be reappointed, or you may make a new appointment. The term of office for the new appointment will be from March 7, 2016 to March 2, 2020.

As soon as the appointment is made, but no later than February 15, 2016, please notify this office of the **full name, address, and phone numbers** (both home and work) of the person you have appointed.

Most sincerely,

A handwritten signature in blue ink that reads "Heather L. Smith".

Heather L. Smith  
Clerk of the Supreme Court