

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, Feb. 7, 2018 | 8:30 a.m.

TO BE HELD IN THE ANNEX COMMISSION CHAMBERS

A. ROLL CALL:

Howard Waymire Renoud Oglesby Dunn

B. PLEDGE OF ALLEGIANCE

C. INVOCATION:

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

D. CORRESPONDENCE & ORGANIZATIONAL BUSINESS

1. Receive A Community Partners Quarterly Update From Mid-America Nutrition. Angie Logan, Director

E. 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.

F. 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 Commission Meeting Minutes For Jan. 31, 2018 And Study Session Minutes For Feb. 5, 2018.
2. Consider And Approve Claim Vouchers And Tax Change Orders.

G. ITEMS OF BUSINESS:

1. Consider For Approval Rezoning Application #1711-1551 (Hiles) To Rezone Approximately 5.00 Acres From An A-1 (Agriculture) Zoning District To An R-E (Residential Estate) Zoning District. Larry Walrod, Planning & Building Director

Documents:

[02072018_1551_hiles cv.pdf](#)
[02072018_1551_hiles attachments.pdf](#)

2. Consider Offering A Dust Control Program, Approving The Application Form And Soliciting Bids For The Application Of A Magnesium Chloride Solution For The Dust Control Program And Waiving The Publication Requirement. James M. Haag, Jr., Public Works Director

Documents:

[cvrsht dust motion for dust control.pdf](#)
[dust control application form.pdf](#)
[bid specifications form.pdf](#)
[ad for publication 2018.pdf](#)
[solicitation for bids.pdf](#)

H. STAFF REPORTS

I. COMMISSIONER COMMENTS AND BOARD REPORTS

J. CONSIDER A MOTION FOR ADJOURNMENT

K. INFORMATION AND ANNOUNCEMENTS:

1. Upcoming Events

- Commission Meeting on Feb. 14, 2018 at 8:30 A.M.
- Commission Meeting on Feb. 21, 2018 at 8:30 A.M.
- Joint City/County/School Board Luncheon on Feb. 21, 2018 at City Hall at Noon.
- Commission Meeting on Feb. 28, 2018 at 8:30 A.M.

Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners
From: Larry D. Walrod
Department: Planning & Building
Date: Wednesday, February 7, 2018

AGENDA ITEM NARRATIVE

Approval of Rezoning Application #1711-1551 (Hiles) to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District.

BACKGROUND

The applicant is requesting to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District. The property is located near the intersection of Butler Road and Nebraska Road, on the North side of Butler Road and approximately one-half (1/2) mile East of Nebraska Road.

The purpose for the rezoning is to permit the division of approximately 5.00 acres to allow for the construction of a new residence. The applicant would retain the remaining approximately 115.54 acres.

The Planning Commission recommended approval of rezoning application #1711-1551 (Hiles) to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District.

SPECIFIC ACTION REQUESTED

Staff recommends that the County Commissioners accept the Planning Commission's recommendation and adopt the attached resolution for the approval of Rezoning Application #1711-1551 (Hiles) to rezone approximately 5.00 acres from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District and to amend the Official Zoning Map accordingly.

ATTACHMENTS

Aerial photos (2)
Survey
Resolution

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

RESOLUTION NO. 18- _____

A RESOLUTION AMENDING THE
OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY, KANSAS

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Robert Hiles to rezone approximately 5.00 acres, described as New Tract, from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District. The property described below lies outside any incorporated city and is described as follows:

NEW TRACT:

All that part of the East Half of the Southwest Quarter of Section 8, Township 19 South, Range 20 East, Franklin County Kansas, more particularly described as follows: Commencing at the Southeast Corner of the Southwest Quarter of said Section 8; THENCE North 90 degrees 00 minutes 00 seconds West along the South line of said Southwest Quarter a distance of 362.43 feet to the Point of Beginning; THENCE North 90 degrees 00 minutes 00 seconds West along said South line a distance of 425.20 feet; THENCE North 00 degrees 41 minutes 28 seconds West a distance of 512.28 feet; THENCE South 90 degrees 00 minutes 00 seconds East, parallel to the South line of said Southwest Quarter a distance of 425.20 feet; THENCE South 00 degrees 41 minutes 28 seconds East a distance of 512.28 feet to the Point of Beginning containing 5.00 acres, more or less, subject to any part thereof in roads.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 21st day of December, 2017, notice of public hearing for said Zoning Change Request; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on January 18th, 2018 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on January 18th, 2018 in regular session and by a unanimous vote of those members present, approved said Zoning Change request based upon certain findings of fact, whereby recommending that the Official Zoning District Map of Franklin County, Kansas be amended; and

WHEREAS, the Franklin County Board of County Commissioners, after duly reviewing the recommendation of the Planning Commission and considering all public comments and concerns regarding said Zoning Change, find that the rezoning of said property would not be detrimental to the surrounding properties and would be in compliance with the provisions of K.S.A. 12-753, the purpose and intent of the Franklin County Comprehensive Plan and the general welfare of the citizens of Franklin County.

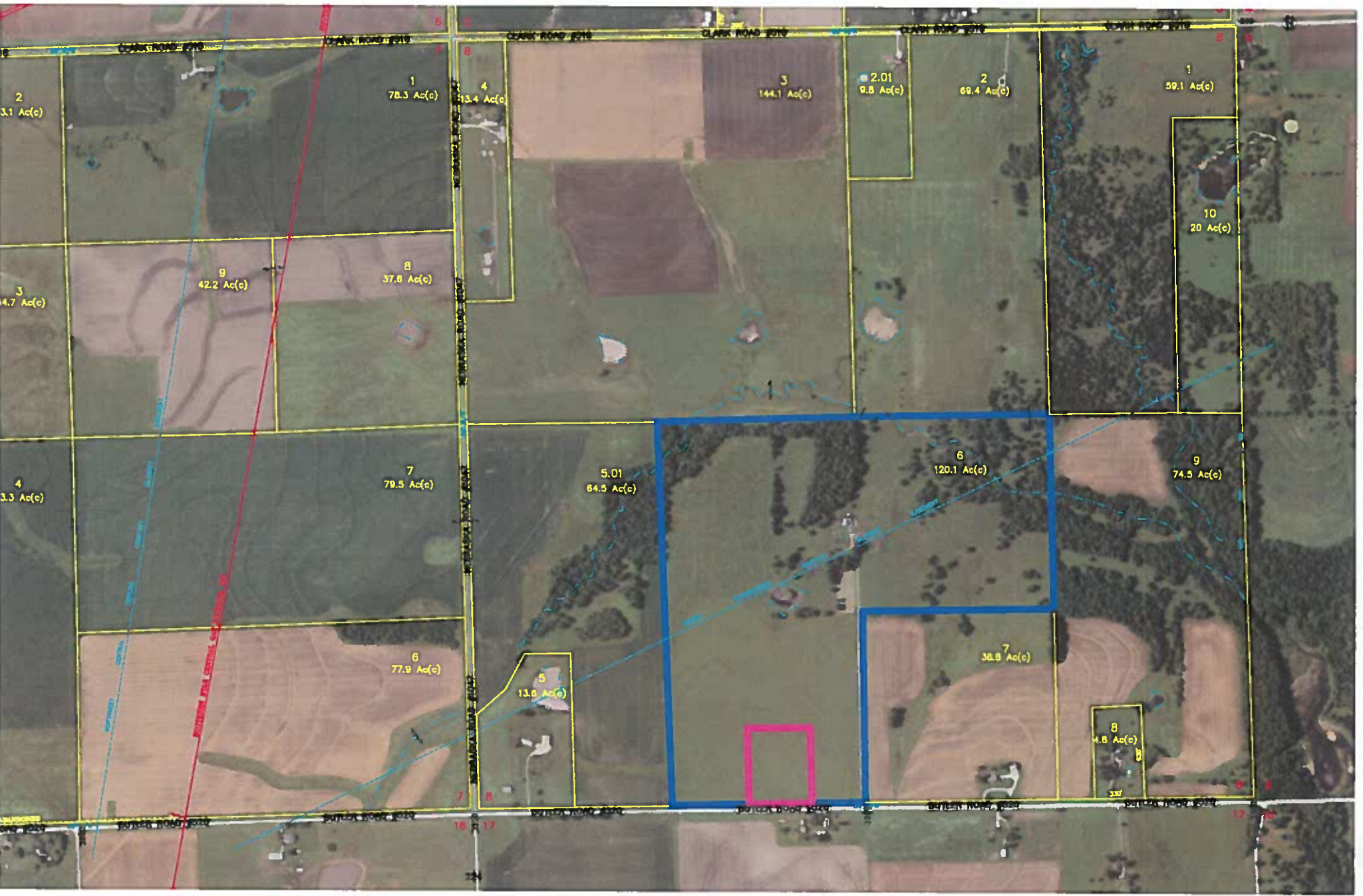
NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby approve the rezoning of the above described tract of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and that the Official Zoning District Map of Franklin County, Kansas be amended to reflect the approved zoning change.

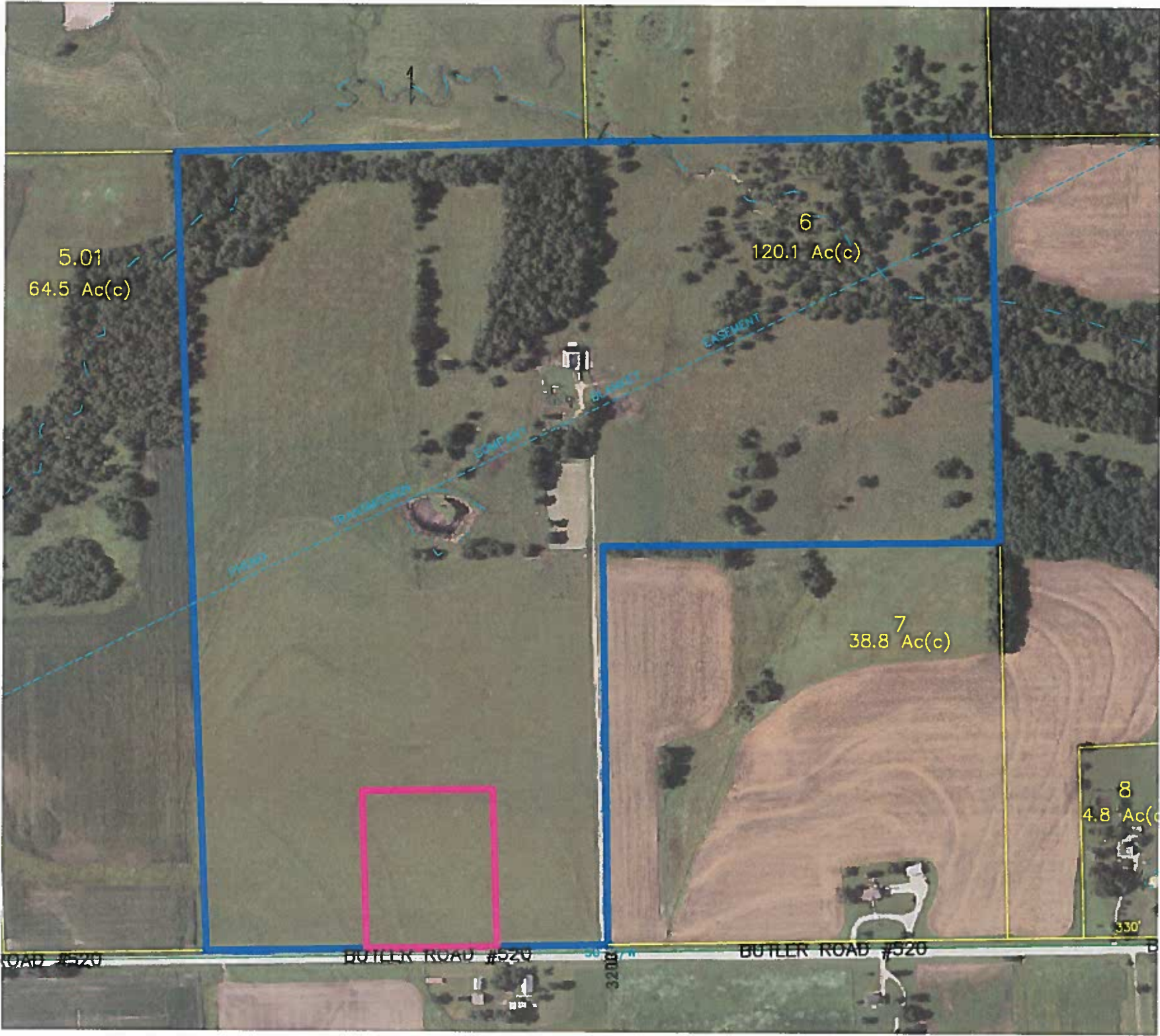
PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 7th day of February, 2018. This action shall become effective upon publication in the official county newspaper.

Randall L. Renoud
Chairman

Received and recorded this the 7th day of February, 2018.

Janet Paddock
County Clerk





5.01
64.5 Ac(c)

6
120.1 Ac(c)

7
38.8 Ac(c)

8
4.8 Ac(c)

EASEMENT

COMPANY

3200' n

330'

ROAD #520

BUTLER ROAD #520

BUTLER ROAD #520

#3100

FILING RECORD:

State of Kansas
County of Franklin

This is to certify that this instrument was filed for record in the office of Franklin County Register of Deeds on this _____ day of _____, 2017, at _____ am/pm and is duly recorded at Slide No. _____ Instrument No. _____

Sue A. McCoy - Register of Deeds

Approved by the Planning Department of Franklin County, Kansas, this _____ day of _____, 2017.

By: _____
Larry Walrod, Planning Director

TRACT SPLIT

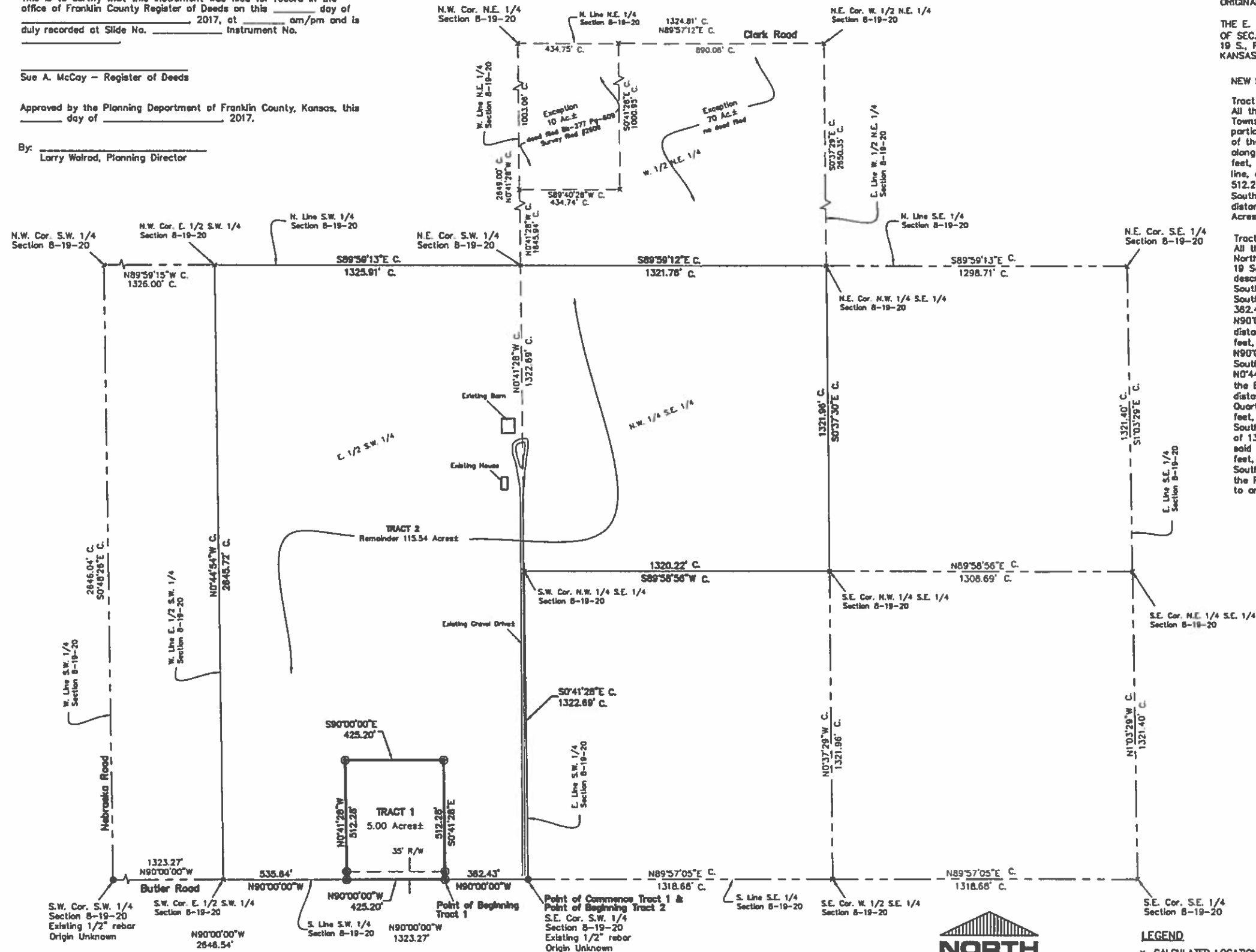
ORIGINAL LEGAL DESCRIPTION: Filed in Bk-249 Pg-595

THE E. 1/2 OF THE S.W. 1/4 OF SEC. 8, THE W. 1/2 OF THE N.E. 1/4 OF SEC. 8, AND THE N.W. 1/4 OF THE S.E. 1/4 OF SEC. 8, IN TWP. 19 S., RBG. 20 E. OF THE 6TH P.M., IN FRANKLIN COUNTY, KANSAS.

NEW DESCRIPTIONS:

Tract 1:
All that part of the East Half of the Southwest Quarter of Section 8, Township 19 South, Range 20 East, Franklin County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 8; thence N90°00'00"W, along the South line of said Southwest Quarter, a distance of 362.43 feet, to the Point of Beginning; thence N90°00'00"W, along said South line, a distance of 425.20 feet; thence N0°41'28"W, a distance of 512.28 feet; thence S90°00'00"E, parallel to the South line of said Southwest Quarter, a distance of 425.20 feet; thence S0°41'28"E, a distance of 512.28 feet to the Point of Beginning, containing 5.00 Acres more or less, subject to any part thereof in roads.

Tract 2:
All that part of the East Half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 19 South, Range 20 East, Franklin County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the Southwest Quarter of said Section 8; thence N90°00'00"W, along the South line of the Southwest Quarter of said Section 8, a distance of 362.43 feet; thence N0°41'28"W, a distance of 512.28 feet; thence N90°00'00"W, parallel to the South line of said Southwest Quarter, a distance of 425.20 feet; thence S0°41'28"E, a distance of 512.28 feet, to a point on the South line of said Southwest Quarter; thence N90°00'00"W, along said South line, a distance of 535.64 feet, to the Southwest corner of the East Half of said Southwest Quarter; thence N0°44'54"W, a distance of 2645.72 feet, to the Northwest corner of the East Half of said Southwest Quarter; thence S89°59'13"E, a distance of 1325.91 feet, to the Northeast corner of the Southwest Quarter of said Section 8; thence S89°59'12"E, a distance of 1321.76 feet, to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 8; thence S0°37'30"E, a distance of 1321.96 feet, to the Southeast corner of the Northwest Quarter of said Southeast Quarter; thence S89°58'56"W, a distance of 1320.22 feet, to the Southwest corner of the Northwest Quarter of said Southeast Quarter; thence S0°41'28"E, a distance of 1322.69 feet to the Point of Beginning, containing 115.54 Acres more or less, subject to any part thereof in roads.



PREPARED FOR:
Matt Bachelor

NOTE:
NO TITLE INFORMATION PROVIDED
NO EASEMENTS SHOWN PER CLIENT REQUEST
ALL DISTANCES AND BEARINGS ARE MEASURED UNLESS OTHERWISE NOTED.
BEARING BASE ASSUMED N90°00'00"W ON THE SOUTH LINE OF THE S.W. 1/4 SECTION 8-19-20.
Reference Surveys filed #1024, #3007, #2609, #2328.
Note Remainder tract 2 calculated from above surveys.

TRACT SPLIT

PART SECTION 8-19-20
FRANKLIN COUNTY, KANSAS



CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS

122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076 FAX: (913) 764-8635

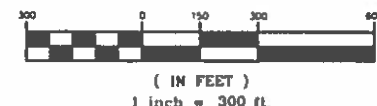
Scale: 1"=300' Drawn By: JDL Project: 33194

Date: 10/31/2017 Checked By: JDL 8-19-20

- LEGEND
- x CALCULATED LOCATION
 - ▲ MONUMENT FOUND AS DESCRIBED
 - BAR FOUND AS DESCRIBED
 - ⊙ SET 1/2" X 24" REBAR WITH PLASTIC KS CLS 93 CAP
 - P.K. NAIL & SHINER SET
 - M. MEASURED BEARING OR DISTANCE
 - C. CALCULATED BEARING OR DISTANCE
 - (R/W) ROAD RIGHT OF WAY



GRAPHIC SCALE



THIS SURVEY HAS BEEN REVIEWED AND APPROVED FOR FILING, PURSUANT TO K.S.A. 58-2005 FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THIS ACT. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION, AS OF DATE OF SURVEY: 10-26-2017

DATE: 12/21/17

James D. Schmitt KS-PLS-727



BY _____ DATE 11-2-17

Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners
From: James M. Haag, Jr.
Department: Public Works
Date: Wednesday, February 7, 2018

AGENDA ITEM NARRATIVE

Consider offering a Dust Control Program, approving the application form and soliciting bids for the application of a magnesium chloride solution for the Dust Control Program and waiving the publication requirement

BACKGROUND

Annually the department has offered a Dust Control Program. Soliciting bids for the application of a magnesium chloride solution is required by the purchasing policy.

SPECIFIC ACTION REQUESTED

Motion offering a Dust Control Program, approving the application form and soliciting bids for the application of a magnesium chloride solution for the Dust Control Program and waiving the publication requirement

ATTACHMENTS

Bid Form, Solicitation of Bids and Application

FRANKLIN COUNTY PUBLIC WORKS

James M. Haag, Jr., Director
1428 S. MAIN, Suite 5
OTTAWA, KS 66067-3547
(785) 229-3550
FAX (785) 229-3504

BOARD OF COMMISSIONERS

Colton M. Waymire, District 1
Richard A. Howard, District 2
Roy C. Dunn, District 3
Richard G. Oglesby, District 4
Randall L. Renoud, District 5

Date: _____

APPLICATION FOR 2018 DUST CONTROL

Name: _____

Address: _____

Home Telephone No.: _____ Business Telephone No. _____

Address to be treated: _____

This is the only dust control program offered or recognized by the County. The County does not warrant the product in any way; this service will be provided by an independent contractor.

The deadline to apply for this program is March 30, 2018. Applications received after this date will be returned.

A single application will be used. The exact date will depend on weather conditions and product availability. Flags will be provided by the County to be used for marking the area to be treated. These flags will be placed near your mailbox within ten days of the application date.

The resident will be responsible for marking the area to be treated. If the area to be treated is not clearly marked on the day of the application, this agreement is void and the payment will be returned.

The County will make every effort to not disturb the treated area during a period ending on September 15, 2018. After that time, we will resume normal maintenance operations. **Maintenance activities on dust control areas, as with other parts of the county road system, will be solely at the discretion of the Road Superintendent.**

(Over)

Please detail any special instructions below. Example: "Address does not match area to be treated" or "On corner lot, both roads to be treated," etc.

A signed copy of this application and full payment for the desired treatment should be sent to:

Franklin County Public Works
Attn: Dust Control 2018
1428 S. Main, Suite 5
Ottawa, KS 66067

(Make check payable to Franklin County Public Works.)

The cost for this treatment will be \$1.40 per foot. A minimum of 300 feet is required \$420.00.

I hereby request that _____ feet of dust control agent be applied to the above listed address of area to be treated. My check for \$_____ is enclosed. **I understand and agree to the terms of the Dust Control Program.**

Signature

Date

Payment received: Amount: _____ Date: _____ By: _____

FRANKLIN COUNTY PUBLIC WORKS

**James M. Haag, Jr., Director
1428 S. MAIN, Suite 5
OTTAWA, KS 66067-3547
(785) 229-3550
FAX (785) 229-3504**

**BOARD OF COMMISSIONERS
Colton M. Waymire, District 1
Richard A. Howard, District 2
Roy C. Dunn, District 3
Richard G. Oglesby, District 4
Randall L. Renoud, District 5**

February 7, 2018

Franklin County will be using Magnesium Chloride (MgCl) for dust control during 2018. The County will prepare the roadbed for application and will guide the applicator to the areas that are to be treated. We will to make one application: the application will be at the rate of .50 gal per square yard.

We are currently taking applications from the landowners for dust control and will not have the total amount needed until we quit taking applications March 30, 2018. We treated 57 areas in 2007 totaling 49,578 square yards (23,301 running ft. x 20-ft wide). We treated 58 areas in 2008 totaling 47,430 square yards (21,343.5 running ft. x 20-ft wide). We treated 43 areas in 2009 totaling 37,773 square yards (16,998 running ft. x 20-ft wide). We treated 42 areas in 2010 totaling 38,389 square yards (17,275 running ft x 20-ft wide) and treated 49 areas in 2011 totaling 42,753 square yards (19,239 running ft x 20-ft wide). Treated 48 areas in 2012 totaling 40,240 square yards (18,108 running ft x 20 ft wide).). Treated 58 areas in 2013 totaling 52,211 square yards (23,495 running ft x 20 ft wide). Treated 75 areas in 2014 totaling 32,070 square yards (14,446 running ft x 20 ft wide). Treated 91 areas in 2015 totaling 80,782 square yards (36,352 running ft x 20 ft wide). Treated 93 areas in 2016 totaling 84,549 square yards (38,047 running feet x 20 ft wide).

I am asking for quotes for two estimates of areas to be treated. We want to do the treatment starting in early May 2018.

Franklin County would prefer for the applicator to “pre-wet” each area (.5 gallon of water per square yard) ahead of the MgCl application. We have bid “pre-wetting” as an option. If the cost of the option is higher than expected, the County may wish to do the “pre-wetting” itself. Water will be supplied by Franklin County.

- 1) MgCl (30% minimum) applied to 80,000 square yards: \$ _____ per gallon MgCl (applied).
- 2) Pre-wetting 80,000 square yards: \$ _____ per gallon (applied).
- 3) MgCl (30% minimum) applied to 40,000 square yards: \$ _____ per gallon MgCl (applied).
- 4) Pre-wetting 40,000 square yards: \$ _____ per gallon (applied).

Please make any comments below that you feel make you the best vendor to apply dust control materials on Franklin County roads during 2018.

PLEASE USE THIS FORM FOR BIDDING

Vendor Name: _____

Vendor Address: _____
City State Zip

Vendor Representative: _____ Date: _____

DUST CONTROL PROGRAM FOR 2018

Franklin County is offering dust control to county residents who live on county roads for 2018. The cost of this program is borne by the landowners requesting the dust control.

Franklin County is offering to have a contractor apply a magnesium chloride dust control material on rock roads to restrict dust. The cost of material, labor and equipment to treat a 300-foot strip of road (the minimum) is \$420.00, or \$1.40 per running foot. The expected life of the dust control is approximately six-months, but varies with the weather, traffic counts and other factors. Some residual control will remain even after the road is bladed.

Any Franklin County resident wishing further information about this program should contact the Franklin County Public Works Department at 785-229-3550.

*Anyone wishing to participate and receive this service should sign and make payment in the Public Works Department at 1428 S. Main, Suite 5, **NO LATER THAN MARCH 30, 2018***

NO DUST CONTROL AREAS WILL BE ADDED AFTER MARCH 30, 2018

SOLICITATION OF BIDS

The Board of County Commissioners of Franklin County, Kansas is soliciting bids for Dust Control Chemical and Application.

Additional information, including detailed specifications required, may be obtained from the Franklin County Public Works Department, 1428 S. Main, Suite 5, Ottawa, KS 66067, or by calling 785-229-3550. All bids must be sealed and addressed as follows:

Franklin County Clerk
Attn: Bids: 2018 Dust Control
315 S. Main
Ottawa, KS 66067

Bids must be received by the Franklin County Clerk no later than 11:00 a.m. on Tuesday, February 20, 2018. Bids not received by 11:00 a.m. on February 20, 2018, will not be considered. Bids will be opened at 1:00 p.m. in the office of the Franklin County Clerk. Franklin County reserves the right to reject any or all bids.

Randall L. Renoud, Chairman

Attest:

Janet Paddock, County Clerk