

February 22, 2023

BOARD OF FRANKLIN COUNTY COMMISSIONERS

Meeting Location: Franklin County Annex Building Commission Chambers

Chair Dickinson called the meeting to order at 8:30a.m.

Roll call: Chair Ianne Dickinson present, Vice Chair Colton Waymire present, Commissioner Donald Stottlemire present, Commissioner Rod Harris present, Commissioner Roy Dunn present.

Chair Dickinson asked all in attendance to stand and join him in the Pledge of Allegiance.

Public Comment:

Norman Wooge, 3790 Pawnee Rd, Ottawa, KS- discussed perceived Americans with Disabilities Act violations by the county either by intent or neglect. He is going to research to see if state or federal laws have been violated.

Commissioner Stottlemire moved and Commissioner Harris seconded to approve the consent agenda as follows: minutes from the meeting on February 15, 2023 and solicitation of tire bids for the Public Works Department. All voted "yes".

Pat Toth, Planning and Building Director, discussed Special Use Permit Application #2210-2003 to allow for construction and operation of an electrical substation on approximately 13.16 acres in an A-1 Agriculture Zoning District located at the property commonly known as 2200 Texas Road. The request is being brought by Evergy. The Planning Commission heard this matter and recommended it for approval by a 5-2-1 vote. A successful protest petition was filed by the residents in the 1,000-foot notification area requiring a supermajority vote of the County Commissioners to approve the Special Use Permit.

Representatives from Evergy gave a presentation on the electrical substation proposed for the location at 2200 Texas Road. They discussed the area and the logistics of locating a substation in the area. The parcels of land in the area were discussed and why different locations in the immediate area are not ideal for locating a substation. The substation will build redundancies for three lines that come together near the intersection of Rock Creek Road and Texas Road.

Special Use Permit Application #2210-2003 Public Comment:

Troy Beach, 4073 Rock Creek Road- said his house would be right across the street from the proposed location of the substation on the 13-acre lot. He said he has concerns about being 1,400 feet from the transformer. He said he will hear the roaring of the transformer and impair his view from his property.

Dennis Schulz, 4087 Rock Creek Terr- said the Evergy was asked to come back to the Planning Commission with alternate locations and they just came back with more reasons why this should be the location. He said many property owners in the area were not notified by Evergy that the area was being considered for a substation. He discussed the overhead lines and that Evergy will use eminent domain to put in the lines needed for the substation to put up two overhead lines with 161,000 volts of electricity between two houses.

Dana Thompson, 4080 Rock Creek Terr.- discussed concerns of flooding in the area and how the substation will be accessed in times of high water. She discussed the obstruction of the views to three houses that were built for the views.

Derrek Schulz, 4043 Rock Creek Rd- discussed how many land owners will be impacted by the overhead powerlines. He discussed the impact on the views to the property owners. He offered additional locations in the area that are currently for sale. They have not contacted those sellers to discuss their location.

Chris Burger, 900 Massachusetts, Lawrence- said he is an attorney for Evergy. He said they are obligated by law to provide reliable, cost-effective electrical service in the areas they cover. It is not an opinion that they don't want to look somewhere else. He discussed what the Comprehensive plan says about locating a substation in an A-1 District.

He also discussed impacts on appraisals due to substations stating that there are no changes to the real estate values.

Derek Brown, County Counselor, discussed the options to the Commissioners regarding this item. The Commission could approve this item with a super majority, deny the Special Use Permit, or remand back to the Planning Commission with specific instructions. He said this item could be tabled until a later meeting if more time is needed.

Commissioner Waymire discussed adding substantial screening as a condition of permit and also add assurances of placement of the lines.

Commissioner Harris said he was going to have a hard time supporting when there are other possible locations nearby that won't impact homeowners.

Commissioner Stottlemire said he agreed with Commissioner Harris. He is supportive of more power in the area and a substation but not this proposal.

Commissioner Stottlemire moved and Commissioner Harris seconded to adopt Resolution 23-08 to deny the Special Use Permit Application #2210-2003 to allow for construction and operation of an electrical substation on approximately 13.16 acres in an A-1 Agriculture Zoning District. All voted "yes" except Commissioner Waymire voted "no".

Chair Dickinson recessed the meeting at 10:00a.m.

The meeting was reconvened at 10:08a.m.

Brenda Pfizenmaier, Public Health Director, introduced Susan Moore, APRN, to the Commissioners as a new addition to the nursing staff in the Health Department. With the addition of Susan as a Nurse Practitioner and certification of the staff for diabetes care, the fee schedules for the Health Department need to be updated to include these new services. More services may need to be added at a later date after the department reviews the needs of the community. These additional services will be billed at the insurance allowable rate plus 25%. We still continue to use the sliding scale for the services that we offer. The Health Department has also applied for a Community Based Primary Caregiver Grant to provide more services.

Commissioner Waymire moved and Commissioner Dunn seconded to approve adding to the Health Department's fee schedule the new services and charges for the nurse practitioner and diabetes/nutrition service lines. All voted "yes".

Christi Hilliker, EMS Chief, discussed adding EMR, EMT and AEMT classes. We can add these classes under our provider number with the state and need to set a fee schedule for outside individuals to take the classes. The fee structure for the class was set by the amount that the Board of EMS would allow for a grant to take the classes.

Commissioner Waymire moved and Commissioner Harris seconded to approve the Initial Course of Instruction fee for EMR to be \$320.00, the fee for EMT to be \$1,150.00, and the fee for AEMT to be \$1,500.00. All voted "yes".

Christi Hilliker, EMS Chief, and Brenda Pfizenmaier, Public Health Director, discussed a county-wide Naloxone use policy for dissemination to schools and other entities named in Kansas State Statute 65-16,127 Emergency opioid antagonists, rules, and regulations. A uniform policy needs to be adopted by the county for the use of Narcan by agencies across the county. Franklin County would like to provide a "universal" policy, along with medical oversight and training, for the use of Intranasal Naloxone. Staff has also prepared a list of recommended doses to have onsite for schools in the area. The county would ideally provide a starter kit for the Narcan that can be easily retrieved in case of emergency that can be replenished by the schools at the end of its shelf life or when needed. This would be funded through the funds received through the Opioid settlement.

Commissioner Stottlemire moved and Commissioner Dunn seconded to approve the county-wide Naloxone use policy for dissemination to schools and other entities named in Kansas State Statute 65-16,127 Emergency opioid antagonists, rules, and regulations and purchase starter kits for the schools. All voted "yes".

W. David Lee, Public Works Director, discussed setting a public hearing on March 8th to consider upgrading the 400 to 550 Block of Texas Road north of Butler Terrace to full maintenance. The request was made to build a house on a property in the area. Citizens in the area are still using this road even though it is minimum maintenance. The applicant has been provided an estimate of the material costs associated with the upgrade that they would be responsible for paying.

Commissioner Waymire moved and Commissioner Harris seconded to hold a Public Hearing on March 8, 2023 to consider upgrading the 400 to 550 Block of Texas Road north of Butler Terrace to full maintenance. All voted "yes".

Staff reports were given by Derek Brown, County Administrator; Pat Toth, Planning and Zoning Director; and W. David Lee, Public Works Director.

Commissioner Harris moved and Commissioner Waymire seconded to adjourn the meeting at 10:54a.m. All voted "yes".

Clerk

Chair