

August 10, 2022

BOARD OF FRANKLIN COUNTY COMMISSIONERS

Meeting Location: Franklin County Annex Building Commission Chambers

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

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

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

Public Comment:

Ed Clark, Vice President of the Over the Road Gang Car Club, discussed the annual car show planned for September. He requested that the Commissioners waive the dump fees for the car show and to allow the use of the Courthouse lawn for the show on September 18th. The show will be in its 35th year.

Commissioner Waymire moved and Commissioner Harris seconded to approve to waive the dumping fees for the car show and allow the use of the Courthouse lawn on September 18th. All voted "yes".

Commissioner Stottlemire moved and Commissioner Waymire seconded to approve the consent agenda as follows; minutes from the meeting on August 3, 2022 and minutes from the canvass on August 8, 2022. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2205-1966 to rezone approximately 69.12 acres from an A-1, Agriculture District, to and A-2, Transitional Agriculture District. The property is located 1639 Colorado Road. The rezoning will allow the owner to settle a family estate. A portion of the property will be added to the adjacent 40-acre tract and will retain its existing A-1, Agriculture District, zoning.

Commissioner Stottlemire moved and Commissioner Dickinson seconded adopt Resolution 22-25 to approve rezoning application #2205-1966 to rezone approximately 69.12 acres from an A-1, Agriculture District, to and A-2, Transitional Agriculture District. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed the need to accept the dedication of the Final Plat for Scott Farms. A Final Plat is required when one lot split has already occurred on a property. This is needed due to the division property to settle a family estate on the property located at 1639 Colorado Road.

Commissioner Harris moved and Commissioner Waymire seconded to accept the dedication of rights-of-way and easements and authorize the Chairman to endorse the Final Plat of Scott Farms located in the West Half of Section 08, Township 18 South, Range 18 East. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2206-1971 to rezone approximately 10.93 acres from an A-1, Agriculture District, to an R-E, Residential Estate District. The property is located at 4785 Jackson Road, Rantoul. The rezoning would allow for a boundary line adjustment to merge with an existing 6.94-acre tract with and existing residence.

Commissioner Waymire moved and Commissioner Harris seconded to adopt Resolution 22-26 to approve rezoning application #2206-1971 to rezone approximately 10.93 acres from an A-1, Agriculture District, to an R-E, Residential Estate District. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2206-1974 to rezone approximately 3.00 acres from an R3-A, Single Family Residential Three Acre District to an A-2, Transitional Agriculture District. The property is located at 1104 Labette Road, Pomona. The rezoning would allow for a boundary line adjustment to add additional land to the cemetery and correct a zoning conflict for the church and cemetery located on the property. Churches and cemeteries are a permitted use in an A-2, Transitional Agriculture District, without a Special Use Permit.

Commissioner Stottlemire moved and Commissioner Waymire seconded to adopt Resolution 22-27 to approve rezoning application #2206-1974 to rezone approximately 3.00 acres from an R3-A, Single Family Residential Three Acre District to an A-2, All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed amending the Franklin County Zoning Regulations sections 2-1.01, 4-5.02, 5-5.02, 6-5.02, 7-5.02, 8-5.02, and 25-1.02. These sections would primarily address setback requirements for buildings and structures within unincorporated areas of Franklin County. The setbacks for various zoning districts were discussed and how changing the setbacks would potentially prevent as many variations being filed. The Commissioners discussed allowing an exception process that the Administrator or Planning Director could approve without going to the Board of Zoning Appeals for a variance. Derek Brown, County Administrator, said that could be brought back before the Commission after appropriate wording was developed but approval of these amendments would be a good first step.

Commissioner Waymire moved and Commissioner Harris seconded to adopt Resolution 22-28 to approve amendments to the Franklin County Zoning Regulations sections 2-1.01, 4-5.02, 5-5.02, 6-5.02, 7-5.02, 8-5.02, and 25-1.02 as presented which include amendments to setback requirements. All voted "yes".

W. David Lee, Public Works Director, discussed the purchase of two 2022 Caterpillar 140-15 AWJ Motor graders for a total of \$500,000 after all discounts and rebates. These two units will include a 5-year, 7,500 buy back agreement with Foley Equipment. The units will be purchased on a lease purchase that was approved at the August 3, 2022 meeting.

Commissioner Stottlemire moved and Commissioner Dickinson seconded to approve the purchase of two 2022 140-15AWJ Motor Graders per quotes #192158-04 and #193012-04 from Foley Equipment for a total of \$500,000 after trade in allowances for each machine. All voted "yes".

W. David Lee, Public Works Director, discussed submitting two applications for the 2024 Kansas Department of Transportation Local Off-System Bridge Program and two applications for the 2023 Kansas Local Bridge Improvement Program. The two bridges recommended for the Off-System Bridge Program would be bridge #17.6-20 on Texas Road and bridge #12.8-1.5 on Arkansas Terrace. The two bridges recommended for the Local Bridge Improvement Program would be bridge #7.0-7.1 on John Brown Road and bridge #13.1-3.6 on Colorado Road. The Local Off-System Bridge Program would cover 100% of construction and construction engineering while the Local Bridge Improvement Program would cover 80% of construction and construction engineering costs.

Commissioner Waymire moved and Commissioner Harris seconded to approve the submittal of two applications for the 2024 Kansas Department of Transportation Local Off-System Bridge Program and two applications for the 2023 Kansas Local Bridge Improvement Program. All voted "yes".

W. David Lee, Public Works Director, discussed a request to vacate the 4000 to 4100 Block of Labette Terrace in the East Half of Section 12, Township 17 South, Range 20 East of the Sixth Principal Meridian, in Franklin County. Notice was given to hold a public hearing at this meeting. The request would vacate a dead-end road and allow the owners to maintain the road as a driveway. This request would landlock three properties.

Commissioner Waymire moved and Commissioner Harris seconded to open the public hearing to vacate the 4000 to 4100 block of Labette Terrace. All voted "yes".

Doug Livingston, 2839 Century Street, Overland Park, commented as one of the property owners. He owns the Pin Oak Flats Farm, LLC properties and Mr. Hutt who owns the 2 Hutt Farm, LLC properties was also present. He said they were co-owners of properties in other neighboring properties. They would like to enjoy their properties peacefully without people driving down their dead-end road by mistake or looking for deer. He said there are two houses and a barn on the road.

No one else wished to comment.

Commissioner Harris moved and Commissioner Stottlemire seconded to close the public hearing. All voted "yes".

Staff discussed that an easement could possibly resolve the issue of access for the owners of the properties owned by 2 Hutt Farm, LLC. The property owners seemed agreeable to this possibility.

Commissioner Harris moved and Commissioner Waymire seconded to table the road vacation until details of a road easement was worked out with the property owners. All voted "yes".

Staff reports were given by Derek Brown, County Administrator; Jeff Richards, Sheriff; W. David Lee, Public Works Director; and Janet Paddock, County Clerk.

Chair Dunn adjourned the meeting at 9:57a.m.

Clerk

Chair