

**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 August 28, 2019. Those present were:

Phil Dixon, Chairman	Shane Krull, County Administrator
Rob Roberts, Commissioner	David Heger, County Counselor
George Pretz, Commissioner	Stacey Weaver, Deputy County Clerk
Tyler Vaughan, Commissioner	Tiffany Taylor, Deputy County Clerk
Danny Gallagher, Commissioner	Amanda Curnutte, Executive Secretary

Visitors: Elroy Pettit, Phyllis Pettit, Alan Lehman, Melinda Slater, David & Marcia Young, Jacques & Linda Barber, Ron Fritts, Shawn Chappell, Rebecca Brandt, Maggie Doherty, Don Bucher, Garry Gerken, Janelle Sanders, Daryl Marmon

Members of the Press: Doug Carder, Miami County Republic

**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 an addition to Commission Comments, as follows:

- Minutes of the County Commission meeting of August 21, 2019
- Vouchers and Payroll
- Addition: Dancefestopia Fireworks Permit

Commissioner Gallagher seconded; the vote was unanimous.

**PROCLAMATIONS & PRESENTATIONS**

-Recognize Tammy Crawford, Motor Vehicle Office Coordinator as 2018 Employee of the Year.

**NEW BUSINESS**

David Heger, County Counselor, requested the board consider the approval of adopting Resolution (R19-08-022) ordering the sale of real property located at 345 Parker, Osawatomie. Commissioner Pretz moved to approve the sale and Commissioner Gallagher seconded; the vote was unanimous.

Shane Krull, County Administrator, requested the board to consider adopting resolution authorizing submittal of a question on the November 2019 ballot concerning continuation

of a one-quarter sales tax to take effect January 1, 2021 for five years. **(R19-08-023)** Commissioner Pretz moved to approve the request and Commissioner Roberts seconded; the vote was unanimous.

Cathy Cooper, Director of Community Corrections, requested the board to consider approving the Sixth Judicial District Community Corrections FY2020 KDOC Adult Services Carryover Reimbursement Budget in the amount of \$131,817.70. Commissioner Gallagher moved to approve the adjustments and Commissioner Vaughan seconded; the vote was unanimous.

Cathy Cooper, Director of Community Corrections, requested the board to consider approving the Sixth Judicial District Community Correction FY2020 KDOC Juvenile Services Carryover Reimbursement Budget in the amount of \$45,159.01. Commissioner Roberts moved to approve the adjustments and Commissioner Vaughan seconded; the vote was unanimous.

Matt Oehlert, Miami County Project Manager, requested the board to consider authorizing Commission Chair to execute contract **(C19-08-016)** with WCI, Inc. for construction of Metcalf Culvert Extension project 18-09-SB (659) in the amount of \$119,687.50 and to execute Notice to Proceed with WCI, Inc. for a start date of September 3, 2019. Commissioner Vaughan moved to approve the request and Commissioner Gallagher seconded; the vote was unanimous.

Kenneth Cook, Planning and Zoning, requested the board to consider the request to rezone approximately 15.75 acres from countryside to commercial **(R19-08-024)**. Property is located on the east side of Harmony Rd. In the August 6<sup>th</sup> meeting, the Planning Commission requested denial of the rezoning request. Commissioner Vaughan stated if we had a large commercial industry coming here wanting to rezone to commercial we would ask that they improve the infrastructure to do that. Gary Gerken spoke on behalf of the Living Proof Church. He stated that it would be too costly for Living Proof Church to pay for improvements to the infrastructure to be rezoned commercially. Don Bucher agrees with the Planning Commission and urges the council to deny the rezoning application. There was a valid protest petition filed that requires three quarters of a majority vote from Commissioners to overturn. Commissioner Vaughan moved to support the Planning Commission and deny the rezoning request and Commissioner Dixon seconded; the vote was unanimous. Commissioner Roberts reminded the neighbors that the church functions within the confines of the CUP that was granted.

Teresa Reeves, Planning and Zoning Director, requested the board to consider the application for a conditional use permit with the condition of no lighting above the horizontal plane **(R19-08-025)** for a recreational equipment storage facility west of Jingo Rd. Alan Lehman and David Young voiced their concerns about the lighting. Shawn Chappell explained his plans and was in agreement with the suggested lighting conditions. Commissioner Gallagher moved to approve the request and Commissioner Pretz seconded; the vote was unanimous.

## APPLICATIONS

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Stacey Weaver, Deputy County Clerk, stated we have received the appropriate application & fees for the temporary CMB License from JSFT LLC, the alcohol provider for the Luke Bryan Farm Tour Event to be held in Louisburg, October 3<sup>rd</sup>, 2019. Commissioner Gallagher moved to approve the application and Commissioner Vaughan seconded; the vote was unanimous.

#### REPORTS FROM STAFF, COMMITTEES, OFFICERS

J.R. McMahon, Miami County Road & Bridge Director, said 287<sup>th</sup> chip and seal letters were sent to surrounding residents. Staff is working on signs tomorrow for closing the road. He also said they were using Magnesium Chloride for dust control.

#### COMMISSION COMMENTS

Commissioner Roberts commented on it being Amanda Curnutte's last Commission Meeting as Executive Secretary as she is transferring to the Health Department. He said they truly appreciated all her hard work and loyalty.

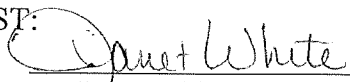
#### ADJOURNMENT

The meeting was adjourned at 2:02 p.m.

(Seal)

  
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Phil Dixon, Chairman

ATTEST:

  
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Janet White, County Clerk