

COMMISSION MINUTES – MONDAY, JUNE 2, 2008

At 8:30 A.M., all members of the Pottawatomie County Commission met for a regular session in the County Commission Room. Present were Corwin Seamans, chairman; Stan Hartwich, vice chairman; and Tom Doperalski, member.

Stan Hartwich moved and Tom Doperalski seconded to adopt the agenda for today's meeting. Motion carried 3 to 0.

Stan Hartwich moved and Corwin Seamans seconded to approve the minutes for May 29, 2008. Motion carried 3 to 0.

Gary Conklin, county counselor and John Watt, assistant county counselor met with the Commissioners to update them on projects they are working on.

Corwin Seamans stated he had visited with Del Ebert, member of the Pottawatomie Township Board regarding concerns of the care of Admatha Cemetery. He had also spoken with Vic Redding to inquire of his possible interest in contracting with Pottawatomie Township to mow the cemetery. Seamans stated Mr. Ebert expressed interest in contracting mowing of the cemetery. The County Clerk was directed to send contract forms to the Pottawatomie Township Board.

Stan Hartwich moved and Tom Doperalski seconded to approve reimbursement of \$5,000 matching funds to Rock Creek Valley Historical Society. Motion carried 3 to 0.

Stan Hartwich moved and Tom Doperalski seconded to approve the Chairman signing a contract with E-FM, Consulting, LLC (Emergency Facilities Management) for Scope of Work for the Hazard Mitigation Plan for Pottawatomie County. Motion carried 3 to 0. (Attachment #1)

The Commission discussed the funding request and budget information submitted for Pottawatomie County Humane Society. Tom Doperalski will visit with the City of Wamego regarding their funding and reimbursement for the animal shelter and services provided.

Gregg Webster, zoning administrator, met with the Commissioners to update them on activities in his department and present information regarding a

rezoning request. Gregg discussed a report of building permits issued for May, 2008. Fred and Rose Brown have requested an amendment to the existing zoning on property from CH (Commercial Highway) to AR (Agriculture/Residential) for property on Hwy 99 and Louisville Rd. Tom Doperalski moved and Stan Hartwich seconded to adopt Resolution 2008-28 approving a request by Fred and Rose Brown for a zoning change from CH to AR for property on Hwy 99 and Louisville Rd. Motion carried 3 to 0. (Attachment #2)

Leu Lowrey, public works director, met with the Commissioners to discuss asphalt bids, Courthouse update, engineer technician and other issues. Leu stated after reviewing bids submitted last Thursday for Asphalt Project AP2008, he recommended accepting the low bid submitted by Bettis Construction for an asphalt project. Tom Doperalski moved to accept the recommended bid submitted by Bettis Asphalt & Construction Inc of Topeka, KS in the amount of \$502,405.60 for Asphalt Project AP2008. Stan Hartwich seconded the motion which carried 3 to 0. After further discussion, Tom Doperalski moved to authorize Leu Lowrey and Robert Reece to negotiate a price with Bettis Asphalt Construction to pave to the entrances of Oak Grove and Wilderness Acres Subdivisions on Vineyard Road south of Hwy 24. Motion carried 3 to 0. Leu presented the Commission with contracts to do a drainage study for the area south of Hwy 24, East of Scottie Lane and East of Dempsey Rd south to the railroad tracks. Leu stated there is money available in the road/bridge fund to pay for the study. Corwin Seamans moved to enter into a contract with Bartlett & West Engineers to do an engineering study of the drainage and design to address those drainage problems 250' east of Scottie Lane to Dempsey Road south of US 24 to the U.P. railroad tracks. Stan Hartwich seconded the motion which carried 3 to 0. (Attachment #3) Leu provided an update on the Courthouse roof repair and structural analysis. He stated Mr. Pikul has recommended a more permanent repair be undertaken this year on the roof. Leu stated most of the engineering has been done by Mr. Pikul, so his charges should be minimal. Leu stated Pikul would have a finished report on the structural analysis within a week. The Commission would like to have a presentation done for the Commission and Building Committee. Robert asked Dustin Trego, Management Assistant of Operations, to set up the meeting for Friday the 13th. The Commission also discussed the job description for a new engineer technician position. The Commission was comfortable with the description and directed Robert to submit the description to Austin Peters for their review and projected wage. Tom Doperalski moved and Stan Hartwich

seconded to create the position of Engineer Technician. Motion carried 3 to 0.

The Commission discussed with Robert Reece, administrator establishing sewer fees for Brook Ridge Subdivision in Louisville Township. Present were Gary Conklin, county counselor, John Watt, assistant county counselor, John Lang, attorney; Doug Dunafon, developer; and Leu Lowrey, public works director. Robert reviewed the information discussed last week regarding fee options according to the number of customers. Robert stated the \$1,000 connection fee less the \$50 fee for the sanitarian will be set aside for major capital improvements to the system, such as future pump replacement. Robert also stated the proposed resolution allows for a monthly operating fee to be charged each homeowner on the system and a special maintenance tax to be assessed annually to each lot in the district to maintain the system. Lang stated the \$1,000 is actually \$2,000 when the Louisville City fee is added. There is one house in the subdivision under contract based upon what was thought to be the fee. At that time they were not aware of implementation of a maintenance fee. Dunafon stated his intention for the subdivision was for the availability of homes under the \$200,000 range. Bottom line for consideration of individuals to buy and build in that subdivision will be based upon the costs to live there. It will be hard to stay on target if he has to recoup more money. In the past the County has subsidized the sewer systems in Blue Township and Fostoria. He would like to be treated equally. Dunafon asked why the area was final platted. Robert stated it was a solution based upon the request of the developer and his engineer to help equalize costs between the proposed phases of development. Robert stated all phases and lots would benefit from the main sewer pump and forced main. The second and third phases would also have the cost of a second pump to service them. As a result of several discussions with the developer, developer's engineer, bond counsel, and county staff, a solution was agreed upon that the developer would pay that portion of the cost associated with the pump station. The cost of that pump station will be assessed to those phases thus equaling out the specials between phases based upon the engineer's estimate. Dunafon stated as a result of final platting he has exposed himself to additional costs. Robert stated the fee structure was proposed in a manner that complied with the Commissioners directive to establish a rate schedule that will assure the system pays for itself. Stan Hartwisch asked about fees for the other two sewer systems. Fostoria's rate is \$10/month and Blue Township Sewer is \$44/month. Corwin Seamans asked Dunafon what he was proposing.

Dunafon stated he realized 1/3 of that amount was unrealistic and would like for the Commission to meet in the middle with a lower rate. He feels the projected amount will be too high. His preference would be to see the maintenance fee go away. Dunafon reminded the Commission his subdivision doesn't affect county roads. It is located on a state highway. Hartwich stated he did not feel \$42/month was out of line and the maintenance fee is OK as someone has to pay for it. He stated he doesn't feel it would be fair to have the tax payers foot the bill. He stated as the area develops the price can come down. He feels the County has helped Dunafon quite a bit. Corwin Seamans asked Robert if the County will be reimbursed if and when the City of Louisville annexes the area. Robert stated the interlocal agreement provides any operating or reserve fees go to the City less any outstanding expenditure. Lang asked if the Commission would consider implementing a maintenance fee only when the tap is made. Dunafon stated he needs to sell 4 homes a year to break even and is hoping for a much faster buildup. Stan Hartwich stated he wants to protect the tax payers and still believes the system needs to pay for itself. Dunafon asked about deferring the maintenance fee and doing the operating fee now with the understanding a maintenance fee could be added later. Tom Doperalski stated he is not inclined to wait on implementing the maintenance fee. Tom Doperalski moved and Stan Hartwich seconded to table the discussion of establishing sewer fees for Brook Ridge Subdivision until next week. Motion carried 3 to 0.

The Commission recessed to view Dyer Road to consider speed limit and parking concerns near The Little Grill. Also viewing the area will be the Sheriff, Corps of Engineers, and Wildlife and Parks.

Corwin Seamans moved to appoint Brian Wells to the Flint Hills Regional Leadership Board of Trustees. This appointment will fill the vacancy created by the resignation of Marcia Walsh. The term of office will last until March 2009. Stan Hartwich seconded the motion which carried 3 to 0.

The Commission reviewed and the Chairman signed A/P printouts for June 2, 2008.

The Commissioners discussed further sewer fees for Brook Ridge Subdivision in Louisville Township. John Lang, attorney; will submit a proposal for Doug Dunafon, developer. The Commission will review and make a decision next Monday.

Meeting was adjourned at 5:13.

County Clerk

Chairman

Vice Chairman

Member