

COMMISSION MINUTES, MONDAY, JUNE 9, 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.

Tom Doperalski moved and Stan Hartwich seconded to approve the amended minutes for June 2, 2008. Motion carried 3 to 0.

Chairman signed tax roll corrections. (Attachment #1)

Tom Doperalski stated the WAM-SAG-MAN Trail organization did not receive the grant they had applied for.

Louise Awerkamp met with the Commissioners to express concerns of the possibility of the County limiting acreage for building homes. She requested the Commissioners hold a public hearing to allow input from citizens. She also stated the hearing should be held in the evening to allow citizens who are employed to attend. The Commissioners stated there is a meeting scheduled for Monday, June 16 at 1:00. This is for a discussion with the Planning Commission and Cities to consider regulations. Awerkamp stated individuals planning to have a small farm would not be allowed to do so with limitations.

Rodney Biesenthal, noxious weed director, met with the Commissioners to update them on activities in his department. Corwin Seamans stated he had visited with the Pottawatomie Township Board regarding mowing the Admatha Cemetery. The township board indicated they will mow the cemetery rather than hire someone else to do it.

Betty Abitz, register of deeds, met with the Commissioners with an update of activities in her department. Betty reported on the seminar she had attended in McPherson last week.

Lori Feldkamp met with the Commissioners to submit a request for the 2009 Budget for Big Lakes Development. She stated Big Lakes is asking for a

5% increase. The Commissioners will consider the request at their upcoming budget work sessions.

Bob Awerkamp met with the Commission to present concerns with the upcoming discussion regarding acreage limitation for rural development. Awerkamp lives in Wabaunsee County and has a business in Belvue. He is not in favor of setting limitations to the acreage necessary to build a home in rural areas. The Commission stated they have not made any decisions on establishing regulations. The meeting they will have next Monday will be to discuss these concerns with the Planning Commission and representatives of the cities in the County.

Tom Doperalski moved and Stan Hartwich seconded to remove from the table the discussion of sewer fee schedule for Brook Ridge Subdivision in Louisville Township. Motion carried 3 to 0. Doug Dunafon, developer and Leu Lowrey, public works director were present for the discussion. Corwin Seamans asked Robert Reece, administrator, if a maintenance tax could be instituted at a later date. Robert stated it could. Bond counsel had drafted a resolution for establishing a special maintenance tax and a schedule of charges for users of the sewer system in Brook Ridge Subdivision. The schedule can be reviewed and adjusted annually. Seamans asked if it would be unwise to set the rate for 15 users without the maintenance tax and then review it in 3 years. Robert stated the Commission can set the rate at any level and asked what the advantage would be. Seamans stated he was hoping the development would increase and exceed the 15 by that time. Robert stated if the Commission chooses not to set a maintenance tax, the County at large will pay for it. For 15 living units on the system the estimated cost of maintenance would be \$43 per household. Seamans stated there wouldn't be a positive cash flow until there are at least 30 households. Stan Hartwich stated the Commission could visit the situation on an annual basis. He added they should go with the 15 customer rate. Commissioner Hartwich estimated the total annual bill would be approximately \$1.50 per day for sewer usage. Hartwich stated people will pay more than that for Cable TV service. Stan Hartwich moved to set the Brook Ridge Subdivision sewer fees at the 15 customer rate of \$42.19 plus \$3.61 for maintenance tax. The \$42.19 includes the \$10.00 fee for Louisville City. Tom Doperalski seconded the motion which carried 2 to 1. Corwin Seamans voted against the motion stating he felt they could get by without the maintenance tax. Dunafon stated he is opposed to the maintenance tax and the fact that he is the first and only one required to pay such a tax.

Stan Hartwich moved and Tom Doperalski seconded to adopt Resolution 2008-29 establishing a special maintenance tax and a schedule of charges for users of a sewer system serving certain sewer improvement districts in the Brook Ridge Subdivision in Pottawatomie County, Kansas. Motion carried 3 to 0. (Attachment #2)

LeaAnn Eichem, Center Township resident; and Mary Prewitt, State Program Manager with The Humane Society of the United States, met with the Commissioners to discuss concerns of a possible countywide ban on dangerous breeds of dogs. Eichem stated she was not defending the dog situation and lives close to the area where an individual was attacked. She stated those dogs have never been properly cared for. She had contacted animal control when the dogs were left alone. Eichem stated breed legislation won't work. The County needs to address the escalating number of dog surrenders. Prewitt stated a leash law and anti-tethering law would be easy to maintain. Licensing requirements would generate funds. The Commission needs to look at the entire county and what they can police and enforce. The Humane Society of the U.S. has criteria for establishing ordinances. Prewitt stated breed bans are not enforceable. She gave them an example of the Lawrence/Douglas County Ordinance. Tom Doperalski stated the Commission wants to do something that is proactive not reactive. Eichem stated there is dog fighting in the county and it needs to be stopped. Stan Hartwich stated he is not sure how to enforce such an ordinance. Prewitt stated the Commission could contact her anytime if they had further questions. No decisions will be made until the County counselors and Commission can further review available information and statutes.

Robert presented the Commission with the annual agreement for commercial appraisal for their consideration. Tom Doperalski moved and Stan Hartwich seconded to enter into an agreement with Devin Sprecker to serve as commercial appraiser for the county. Motion carried 3 to 0. (Attachment #3)

At 12:05, Tom Doperalski moved and Stan Hartwich seconded to go into executive session for 5 minutes to discuss non-elected personnel. Present for the session will be administrator and county clerk. Motion carried 3 to 0. Regular meeting resumed. As a result of the session, Tom Doperalski moved to allow the Administrator to make the appropriate decision regarding extended leave for non-elected personnel in accordance with the

County personnel policy. Stan Hartwich seconded the motion which carried 3 to 0.

The Commissioners adjourned for lunch at 12:15.

The Commissioners reconvened at 1:00.

Andrea Bopp, Senior Communications Specialist consultant working on the US 24 corridor project met with the Commissioners to discuss their expectations concerning the Hwy 24 Corridor Study HWS Consulting Group will be conducting. John Keller, county planner and Gregg Webster, zoning administrator were also present. Bopp asked for input as to what the Commission wanted the study to provide by the end of the year. The Commissioners stated they wanted: 1. A good working outline for development. 2. A report that fills in details. 3. To maintain high speed lane. 4. Know capacity of the highway so decisions can be made. 4. Information on traffic for peak hours and sale barn days. They want the traffic to move safely. 5. Intersections that need changes. 6. Traffic concerns for schools. 7. Planning for frontage roads in the undeveloped areas. Keller stated they need to know how much the current plan needs to be adjusted. Corwin Seamans stated they need to know how to communicate this information to the community. They want the community to feel the Commission has planned properly for growth. Keller stated high gas prices might require them to be innovative in the areas of mass transit and pedestrian/bike use. Bopp stated traffic studies will be done at cross-over intersections.

The Commissioners discussed the economic development plan to serve to renew the non-metropolitan economic zone status. Corwin Seamans stated he felt ECDV should go ahead with preparation of the new plan and the Commission will agree to it as it will be similar to the County ECDV Plan. Robert asked if this is the direction of the Board and if Commissioner Seamans is going to provide that direction to the ECDV Corporation as the question came by way of email to him only. Seamans stated that direction can come from the administrator. Robert stated he would contact the Economic Development director and inform him of the Commission's decision.

The Commission discussed the request of the Caring Hearts Humane Society for funding. Tom Doperalski will visit with the Wamego City Manager, as

the agreement was with the City of Wamego. The Commissioners will ask the county counselors to check on the legal responsibilities for dogs turned in to the pound.

Peter VanKuren, Director of the Manhattan Airport; and Rich Jankovich, Chairman of the Manhattan Regional Airport Board, met with the Commissioners to update them on activities since Great Lakes Airlines has been offering services with them. VanKuren stated May was the best month in a few years. Daily flights are offered to Kansas City and Denver. Jankovich stated the Board had voted to add a representative from Pottawatomie County. He stated the Board is strictly an advisory board. It helps the City Commission have better knowledge of what is going on. Board meetings are open meetings and minutes are kept. The Commission was invited to an Open House at the Manhattan Regional Airport for Great Lakes Airlines on Monday, June 16th from 4:30 P.M. to 6:30 P.M. Tom Doperalski stated he had a couple of individuals in mind who might serve on that board. He will visit with them.

Wayne Rouse with Country Stampede, LLC; Greg Riat, sheriff; Shane Jager, under sheriff; Scott Schwinn, sanitarian; and Chris Trudo, emergency management director met with the Commissioners to discuss final plans for the Country Stampede to be held June 26 through 28. Rouse stated they are ready for the event. Riat stated there is a good parking plan in place. Rouse stated this year vehicles will be parked and then fees will be collected. Tom Doperalski asked if there was a plan to bus individuals. Rouse stated that would be part of a rain plan.

Greg Riat stated his department will be helping the City of Wamego on the 4th of July.

The Commissioners discussed their visit to The Little Grill to check on the safety due to speed limit and limited parking space. A traffic study will be done.

The Commissioners adjourned at 4:00.

County Clerk

Chairman

Vice Chairman

Member