

**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 Commission Chambers, Miami County Administration Building, Paola, Kansas, on June 23, 2021. Those present were:

Rob Roberts, Chairman	Shane Krull, County Administrator
Tyler Vaughan, Pro-Tem	Shelley Woodard, County Counselor
George Pretz, Commissioner	Janet White, County Clerk
Phil Dixon, Commissioner	Casey d'Augereau, Executive Secretary
Danny Gallagher, Commissioner	

News: Doug Carder, Miami Republic News

Visitors: Jimmy & Lesli Baker, Mark Govea, Mike Scanlon, Justin Saling, David Wells

CALL TO ORDER

Chairman Roberts called the meeting to order at 10:00 a.m.

CONSENT AGENDA

Commissioner Vaughan moved to approve the Consent Agenda, as follows:

- Approval of minutes of the County Commission meeting on June 16, 2021
- Approval of AP payment vouchers and Payroll
- Neighborhood Revitalization Plan (NRP) for tax year 2020 in the amount of \$28,327.38
- Correction to BOCC minutes from June 9, 2021: Mark Whelan requested, Commissioner Dixon moved, and Commissioner Gallagher seconded to approve the purchase of 30 Unication 800 pagers for \$20,164.78. The minutes showed \$37,629.59. Approval to amend the minutes with the correct purchase amount.
- Add-on: Proclamation declaring Mayor Mark Govea Kansas Mayor of the Year 2021

Commissioner Gallagher seconded, the vote was unanimous.

PROCLAMATION

Chairman Roberts stated it is a real honor to recognize a citizen that has really made Miami County look good in their duties and responsibilities and also brought great honor to Miami County. Kansas Mayor of the Year is a prestigious award instituted in 2001 and was first awarded to Irene B. French of Merriam, KS. Fourteen Mayors throughout Kansas formed the committee and selected Mayor Mark Govea Kansas Mayor of the Year 2021. Chairman Roberts declares on the 23rd day of June of 2021 as Mayor Govea Day in Miami County, KS.

NEW BUSINESS

Kenny Cook, Planning Department, requested the Commissioners to consider approving a Conditional Use Permit (CUP) 21001-CUP for a 195' tall communications tower including an equipment shelter and appurtenant equipment located within a 75' X 75' leased compound area with a 30' access easement; per Sections 5-2.02.10, and 14-2.01.4 of the Miami County, Kansas Zoning Regulations. The subject tract of approximately 0.129 acres (plus access easement), is located approximately 310' SW of the intersection of Cherokee Ln and Poplar Ridge Dr, in the NE ¼ of Section 21, Twp. 17, Range 23, Paola Twp. Submitted by David Wells of Branch Communications, LLC on behalf of U.S. Cellular, the Applicant. Property owners on record are Nicole Burnett and Jamie Weaver. Commissioner Pretz moved to approve the CUP for U.S. Cellular's tower, Commissioner Dixon seconded; the vote was unanimous. **(R21-06-021)**

Teresa Reeves, Planning Director, requested the Commissioners to consider approving a resolution to rezone approximately 0.69 acres from Countryside (CS) to Commercial (C-2) located at 28740 Somerset Rd, Paola; known as Somerset Schoolhouse. This request was submitted by Lesli Baker on behalf of The Somerset Schoolhouse, LLC, the property owner of record. Chairman Roberts moved to approve the resolution to rezone approximately 0.69 acres known as Somerset Schoolhouse from Countryside (CS) to Commercial (C-2), Commissioner Gallagher seconded. Commissioner Vaughan asked Ms. Reeves the difference between converting from CS to C-1 instead of C-2. Ms. Reeves stated since there is a plan to serve cocktails converting from CS to C-2 is the only option. The vote was unanimous. **(R21-06-022)**

Jim Starling, Building & Grounds Director, requested the Commissioners to approve the bid from Marmon Construction of Paola for painting the administration building at a sum of \$48,587. Three bids have been received: Marmon Construction - \$48,587, Genesis Environmental Solutions, Inc. - \$65,395, and Al's Custom Painting - \$68,000. Commissioner Dixon moved to approve the agreement with Marmon Construction in the amount of \$48,587, Commissioner George seconded; the vote was unanimous. (A21-06-030)

APPLICATIONS

Janet White, County Clerk, stated there is an application for Cereal Malt Beverage License for the Dollar General Store in what is considered as the Hillsdale region. Requesting approval for the Chairman to sign the notice to the Township. Commissioner Gallagher moved to approve sending the letter to the township, Commissioner Vaughan seconded; the vote was unanimous.

STAFF COMMENTS

JR McMahon, Road & Bridge Director, gave an update on the following:

- Magnesium Chloride to be finished next week
- Creamery Bridge update
- Boom mower is up and mowing
- Engineer advised the bridge was to be closed. Expect sealed set of plans today.
- Chairman Roberts and Commissioner Gallagher received call from Mr. York concerned with the dust in his area being more than normal. Mr. McMahon stated he drove that road and didn't believe the dust to be any more than normal. Anticipating the dust to be reduced once the rain hits this weekend.

COMMISSION COMMENTS

Commissioner Pretz congratulated Mayor Mark Govea and the good teamwork with Mike Scanlon, City of Osawatomie Manager.

Commissioner Gallagher stated: After careful consideration and with the advice and recommendation of legal counsel, Commissioner Gallagher has decided to recuse himself from any Board of County Commissioners (BOCC) consideration of the petition for incorporation of the City of Golden. Commissioner Gallagher stated he is in a business relationship with persons who are in opposition to the incorporation which could lead to possible questions about his ability to remain impartial.

EXECUTIVE SESSION

Shelley Woodard, Miami County Counselor, requested a 20-minute Attorney/Client Executive Session to review legal matters. Those included in the meeting will be the Commissioners; Shelley Woodard, County Counselor; Shane Krull, County Administrator. Commissioner Pretz moved to have 20-minute Attorney/Client Executive Session beginning at 10:50 a.m., Commissioner Dixon seconded; the vote was unanimous. Regular BOCC meeting reconvened at 11:10, no action to be taken.

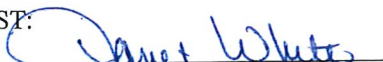
ADJOURNMENT

The meeting was adjourned at 11:11 a.m.




Rob Roberts, Chairman

ATTEST:


Janet White, County Clerk