

**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 October 11, 2023. Those present were:

Tyler Vaughan, Chairman	Shane Krull, County Administrator
George Pretz, Pro-Tem	Janet White, County Clerk
Keith Diediker, Commissioner	Shannon Gaboni, Operation Specialist
Rob Roberts, Commissioner	
W. Jene Vickrey, Commissioner	

Visitors: Dan Creason, Stan Heth, Lavonne Heth, Shea Miller, Chip Croop

CALL TO ORDER

Chairman Vaughan called the meeting to order at 1:00 p.m.

PUBLIC COMMENTS

Stan Heth, 23580 W. 242nd Street, would like to thank the Commission for the courthouse tours and he is supportive of the effort to restore and modernize the building. Mr. Heth has had discussions with other citizens who simply do not know what is happening. One topic of discussion has been the cost of the restoration, which people have said could be up to \$50,000,000.00 when the restoration will be closer to \$25,000,000.00 and the need for new courtrooms, as some people thought new courtrooms were built in the new jail. Another topic Mr. Heth has also gotten involved with is the taxes. One statement that really bothered him was that the County spends too much money on unneeded extravagant things. Mr. Heth asked that individual what extravagant things that specifically the County spends money on to which the individual said the courthouse and paved roads out in the middle of nowhere that lead to nowhere. Mr. Heth had invited the individuals to attend the Board of County Commissioners meeting today and no one showed up. Mr. Heth supports what the Commission is doing and if he disagrees with anything they are doing he will address the board, as he has done in the past.

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on October 4, 2023
- Approval of AP payment vouchers and payroll
- 23015-LS Grant of Easement (DAC Ventures) (A23-10-068)

Commissioner Roberts seconded; the vote was unanimous.

UNFINISHED BUSINESS

Eric Sandberg, Road & Bridge Director, again introduced Shea Miller who is representing the potential buyer of a landlocked piece of property at Rockville Road south of 287th Street in Louisburg, KS. The issue is a county road that was designated a minimum maintenance road 54 years ago and it is now overgrown and impassable. Mr. Miller is asking the County to bring this road up to standard for a minimum maintenance road so that the landlocked property can be accessed. Commissioner Roberts asked if there was potential purpose for this piece of property, other than building a single-family home on it. Mr. Miller said that yes, at one point this piece of property was platted to be a subdivision with 8-10 homes by the City of Louisburg. Commissioner Roberts said that it is his understanding that the County's own subdivision regulations require the developer to improve the road regardless of how the road has been classified. Kenneth Cook, Planning Director, stated there are some minimum infrastructure requirements that require the developer to not only develop the roads within the subdivision but roads leading up to the subdivision as well would need to be county standard. Chairman Vaughan said he is not comfortable spending taxpayer dollars on road improvement for one property. Commissioner Roberts said there are ways to have issues like this paid for. The buyers could petition the County as a Special Benefit District. Mr. Miller said that 29 years ago the County paid for the potential buyer's access to their current lot and

although the land to be purchased is landlocked, the road affects three other landowners as well. Commissioner Roberts wanted to clarify that that was before the County Planning Department was developed. Mr. Miller believes the \$140,000.00 price tag on the quote he received should not be the responsibility of the potential buyer and the County should bring the road up to standard. He would also like to know what the exact requirements are for a minimum maintenance road. The Commissioners agreed that the cost would be 100% on the landowners to bring that road up to minimum maintenance standards and Eric Sandberg, Road and Bridge Director, would get Mr. Miller the specifications on what those standards are within a week.

NEW BUSINESS

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider authorization to advertise for construction inspection for the High-Risk Rural Roads (HRRR) Old Kansas City Road Rehabilitation Project. This project is located on Old Kansas City Road south of Paola to US 169 Highway. Commissioner Pretz asked Mr. Oehlert to educate the public on the project. Mr. Oehlert said originally this project was part of a quarter cent sales tax and the Commission authorized \$850,000.00 for the project, which would be a simple mill and overlay, structural repairs and widening the road. When the HRRR program came about the County applied and received \$1,700,000.00 with a 90/10 split so the County's responsibility for civil engineering and construction will be \$171,712.00. Out of the original \$850,000.00 the County has paid the following: \$95,000.00 for design, \$28,000.00 for Right of Way purchase, \$47,000.00 to Rural Water District #2 and \$26,000.00 to Kansas Gas Service. This leaves a surplus budget of \$487,000.00 so you are getting twice the project for half the budget. With the Kansas Department of Transportation funding the project now includes the widening the road, replacing drainage structures that are fatigued, widen ditching, put shoulders in and full dent patching along with the mill and overlay. They will also be taking care of the intersection at Old KC Road and 327th and will be restriping and adding new signage. The project will start approximately June 2024. To keep businesses open and give people access to their homes Old KC Road will be moved to one lane and traffic will only be able to move North throughout the entirety of the project. Commissioner Roberts moved to approve the recommendation as presented, Commissioner Pretz seconded; the vote was unanimous.

Kenneth Cook, Planning Director, requested the Commissioners to Adopt a resolution denying the conditional use permit for #23007-CUP Always & Furever Midwest Animal Sanctuary. On September 27, 2023, the Board of County Commissioners reviewed the Conditional Use Permit request, including the recommendation of the Planning Commission, for 23007-CUP Always & Furever Midwest Animal Sanctuary and voted unanimously to deny the application. The reasons for denial are as follows: The proposed use would not be compatible with the character of the neighborhood or the zoning and uses of neighboring properties due to the size and intensity of the operation in relation to the residential nature/character of the surrounding neighborhood and the proposed use would not be in conformance with the adopted Comprehensive Plan as the proposed property is not located within an area of Regional Significance and will not match the intent for rural Residential as the intensity of the use will conflict with the primary uses that exists on the neighboring properties. Chairman Vaughan moved to approve as presented, Commissioner Vickrey seconded; the vote was unanimous. (R23-10-043)

COMMISSIONERS COMMENTS

Commissioner Vickrey said the open house was good to see and had a good turnout.

Commissioner Pretz said more that two Commissioners may be present at the ribbon cutting for Solar Array located on the NW corner of 335th and Osawatomie Road, this Thursday October 12, 2023, at 5:00 p.m.

Commissioner Pretz would also like to discuss a citizen concern that was brought to them. The concern is emergency vehicle access at 343rd Street and Hospital Drive in the Henson area. Commissioner Pretz would like to see an inhouse study of potential solutions and costs associated to provide that accessibility.

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Commissioner Pretz moved to approve the inhouse study, Commissioner Roberts seconded; the vote was 4-Yes, 1-No (Vickrey, as he did not feel a motion was needed to ask staff to perform the study).

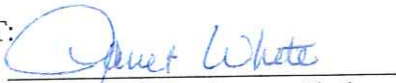
ADJOURNMENT

The meeting was adjourned at 2:10 p.m.



Tyler Vaughan, Chairman

ATTEST:



Janet White, County Clerk