

**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 April 24, 2024. Those present were:

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

**Absent:** Shane Krull, County Administrator

**Visitors:** Jeff Oliver, Chuck Hawke, Lisa Hawke

**CALL TO ORDER**

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

**CONSENT AGENDA**

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

- Approval of minutes of the county commission meeting on April 10, 2024
- Approval of AP payment vouchers and payroll
- 24002-SUB: Davey Farms Subdivision

Commissioner Diediker seconded; the vote was unanimous.

**PRESENTATIONS AND AWARDS AND PROCLAMATION**

Proclamation - National Day of Prayer. Commissioner Roberts moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous.

Proclamation - Administrative Professionals' Day. Chairman Vaughan moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous.

**UNFINISHED BUSINESS**

Bobby Wardecker, Planning Department, requested the Commissioners to consider an application to rezone approximately 1.46 acres from Countryside (CS) to Commercial (C2), in accordance with Section 22 of the Miami County, Kansas Zoning Regulations. The subject property is located on the East side of Old Kansas City Rd and 200 feet South of West 255th St, in the Northeast Quarter of Section 15, Township 16, Range 23, Marysville Twp. and to adopt a resolution approving the rezoning of 24001-Z. After considering the staff report, Golden Criteria, and with no public comments received, the Planning Commission voted 6-1 to recommend approval of the request to rezone the properties from Countryside (CS) to Commercial (C-2), with conditions. The resolution will not be recorded or published until the conditions in the CUP are met. Commissioner Pretz moved to approve the recommendation to rezone this property as C-2, Commissioner Diediker seconded; the vote was unanimous. (R24-04-008)

**NEW BUSINESS**

Sara Denney, Payroll/Benefits Coordinator, requested the Commissioners to consider a resolution approving the closure of non-emergency office on October 14, 2024, for employee training. For the past several years, the BOCC has approved closing non-emergency offices to the public. Essential training will be completed in areas such as safety to help employees be better prepared to serve Miami County. Commissioner Roberts moved to approve as presented, Commissioner Vickrey seconded; the vote was 4-yes, 1-no (Pretz). (R24-04-009)

Matt Kelly, Undersheriff, requested the Commissioners to consider tabling the purchase of a new storm siren for Bucyrus for one week. Chairman Vaughan moved to table for one week, Commissioner Pretz seconded; the vote was unanimous. **(A24-04-021)**

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider authorizing the budget revision of \$3,295,820.00 for Project #24-01-CO (696) 2024 Asphalt Corrective Maintenance Program. A revised budget is requested to cover construction and construction engineering inspection costs plus contingencies. The original budget was \$3,220,820.00 with a requested budget increase of \$75,000.00 for a total revised project budget of \$3,295,820.00. Commissioner Pretz moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous.

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider authorizing the Commission Chair to execute the contract and the notice to proceed with Killough Construction, Inc., for construction of Miami County Project No. 24-01-CO (696), with the project start date of April 29, 2024, and last for 60 working days. Commissioner Pretz moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous. **(A24-04-019)**

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider executing the construction agreement with Bryan-Ohlmeier Construction Co., Inc. for the construction of Miami County Project # 24-03-SB (698) Phase 2 Culvert Replacements for a price of \$440,851.00. The three culvert replacements are located at the following locations: Culvert 1064-Pleasant Valley Road south of 295th Street, Culvert 1836-347th Street east of Cedar Niles Road, and Culvert 2169-367th Street east of Jingo Road. The contract time is 365 calendar days and is to be completed between June 1, 2024, and June 1, 2025. Each of the three sites will be allowed 90 calendar days from the date of initial closure to complete the work at that site. Commissioner Pretz moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous. **(A24-04-020)**

Jenny Koehn, Assistant Planning Director, requested the Commissioners to consider a request to renew and modify / expand an existing Conditional Use Permit 24001-CUP: Fireflies Farms for an Event Center in accordance with Section 6-2.02.33 of the Miami County Zoning Regulations. The subject property of approximately 80 acres and is addressed as 26095 Ridgeview Rd, Paola, KS, and located in the SE ¼ of Section 18, Twp 16, Range 24, Ten Mile Twp. After considering Staff's recommendation, and the Golden Criteria, the Planning Commission voted (6-2) with Kitchen and Manchester against, to recommend approval of the Conditional Use Permit based on the findings and subject to the conditions listed. The modifications from the original CUP are as follows; renewal will be every 10 years instead of 5 years, 25 events will be permitted per year, up from 15, attendee occupancy was raised from 100 to 166, which is the maximum occupancy of the event structure on the property and the addition of dust control from Ridgeview Road up to 255<sup>th</sup> Street, not to include Wagstaff Road. There were no protest petitions submitted regarding the CUP. Chairman Vaughan moved to approve as presented, Commissioner Pretz seconded; the vote was unanimous. **(R24-04-010)**

Kenneth Cook, Planning Director, requested the Commissioners to consider a request for Conditional Use Permit 23009-CUP: Cricket Fields for the operation of athletic fields consisting of Cricket Fields, to be withdrawn per an email request received from the applicant's attorney. Commissioner Pretz moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous. **(R24-04-011)**

## **APPLICATIONS**

Janet White, County Clerk requested the Commissioners to consider signing the invoice for the 2024 Presidential Preference Primary. The total cost of the election was \$42,009.83. Commissioner Roberts moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous.

**COMMISSIONERS COMMENTS**

Commissioner Roberts wanted to make a clarification on the Cricket Field CUP and the request from the applicant's attorney that the \$300.00 fee be refunded and if that is a typical request. Kenneth Cook, Planning Director, said he does believe that they have done that in the past. The \$300.00 that is requested back by the applicant is technically for the publication of the resolution, once passed, and since there was no publication it is Mr. Cooks understanding that the fee has been refunded in the past. Commissioner Roberts said by the Commission accepting the withdrawal of the application they are also authorizing Mr. Cook to refund the monies which Mr. Cook confirmed.

Commissioner Pretz first wanted to account the Southeast Kansas Officials Meeting on April 25, 2024, from 9:00 a.m. to 1:00 p.m. in Burlington. Item two is the National Day of Prayer on May 2, 2024, at 12:00 p.m. on the Miami County Courthouse grounds, weather permitting.

Chairman Vaughan wanted to highlight that he and Commissioner Roberts attended the ribbon cutting ceremony for Comcast. Chairman Vaughan attended in Springhill and Commissioner Roberts attended in Paola.

**ADJOURNMENT**

The meeting was adjourned at 1:34 p.m.

(Seal)



Tyler Vaughan, Chairman

ATTEST:

Janet White, County Clerk