

**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 15, 2022. Those present were:

Rob Roberts, Chairman	Shane Krull, County Administrator
Tyler Vaughan, Pro-Tem	Shelley Woodard, County Counselor
Danny Gallagher, Commissioner	Janet White, County Clerk
Phil Dixon, Commissioner	Jessi King, Operation Support Assistant
George Pretz, Commissioner	

Press: Jennifer McDaniel, Miami County Communications

Visitors: Marvin Vail, Rob Kirk, Jennifer Leach

CALL TO ORDER

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

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on June 8, 2022
- Approval of AP payment vouchers
- Add-on: Order of Correction of Irregularities

Commissioner Gallagher seconded; the vote was unanimous.

UNFINISHED BUSINESS

Chairman Roberts asked Katie Jardieu, Assistant Planning Director, to review the conditional use permit for Twelve64 Off-Road that was first presented to the commissioners on May 25th. She stated that the planning commission had originally placed several conditions on the applicant, with the most contentious issue being road improvement to a minimum 22-foot-wide surface. When the issue was tabled, there was research done into regulations for options, which showed that the applicant did not qualify to request an exception. Shelley Woodard, County Counselor, stated that the commissioners could update the county code, but cannot override current county code. After discussion among the commissioners, Ms. Jardieu stated that improved surfaces would include the ability to pull off for emergency vehicles and the road in question has ditches that are too deep to do so safely. Chairman Roberts asked then if the road would even be able to be improved sufficiently enough to comply with county code and if the county would be able to acquire enough right-of-way to satisfy the regulations. He then questioned why the planning commission approved and sent it on, when it seems that some requirements cannot be met. Commissioner Vaughan simplified the issue by stating that it comes down to the fact that even if the applicant wanted to move forward and improve the road, it was impossible to do so to meet county codes, so the conditional use permit would not be an option.

Rob Kirk, 38902 W. 215th, stated that he appreciated the commissioners taking the time to go look at the road in question. He stated that there were untruths told about notifications and other things that he is very upset about. Mr. Kirk wanted to make it clear that everything has been done by the applicant to do things the right way, but that they would not be moving forward with the application. Chairman Roberts then clarified that as Mr. Kirk is not the applicant, he cannot ask for a final decision from him. Commissioner Vaughan encouraged Mr. Kirk that, moving forward, the applicant should be more clear about the events that they are planning from the beginning of the process, as to be fair and equitable to all applications. He then stated that it didn't feel appropriate to vote without the representative of the permit present. Commissioner Gallagher motioned to table the issue for 1 week, seconded by Commissioner Vaughan; the vote was unanimous. (R22-05-027)

NEW BUSINESS

Jennifer Leach, GM and CEO of People's Telecommunication, stated that her company has made a lot of improvements in Miami County with the fiber optic networks that have been installed in Louisburg. They have also reached out to residents in rural areas, who have felt like they have not received the same benefit as those who are in the cities. Those residents are looking for a more consistent internet service, and many are interested in the fiber that would be offered if People's was able to get it to them. Ms. Leach requested the commissioners to grant funds from the ARPA money that was received. Shane Krull, County Administrator, inquired what the monetary ask would be from the county. Ms. Leach stated that she would like to have \$500,000 but is open to any assistance that they can get. Chairman Roberts encouraged Ms. Leach to reach out to the cities who have already been given funds from the commissioners.

Shelley Woodard, County Counselor, presented a request from Soilganix Soil, to sign that their property meets zoning and solid waste requirements of the county. Teresa Reeves, Planning Director, stated that the property in question is along the west side of the Osawatomie golf course, which appears to meet the definition of agricultural use, with the caveat that removing more than an acre of topsoil would require a conditional use permit. Ms. Woodard clarified that all that was asked of the Commissioners at this time is confirmation that the zoning and solid waste requirements were being met and not authorizing anything further. Commissioner Vaughan moved to allow Chairman to sign confirming meeting current zoning requirements with the addition of the possibility of needing a conditional use permit, Commissioner Gallagher seconded; the vote was unanimous.

STAFF COMMENTS

Mark Whelan, Emergency Management Coordinator, updated the commissioners on the two tornadoes that happened in Miami County on June 8th. Damage was found at the Louisburg Cider Mill, as well as damage to structures around 287th and Oak Grove Road. The National Weather Service confirmed that tornadoes had touched down that were not picked up on radar. Mr. Whelan explained that because the NWS did not initially pick up the tornadoes, no alerts or sirens were activated. Based on assessments, there is no need for emergency disaster declaration at this point.

COMMISSIONERS COMMENTS

Commissioner Pretz stated that more than 2 commissioners could be at the John Brown Jamboree Parade in Osawatomie on June 16th from 5:00pm to 9:00pm.

Commissioner Pretz stated that more than 2 commissioners could be at the Osawatomie City Quarterly Meeting on June 28th from 9:00am to 12:00pm.

Commissioner Pretz stated that more than 2 commissioners could be at a retirement party for Katie Forck, Register of Deeds, in the chambers on June 30th from 2:00pm to 4:00pm.

Commissioner Vaughan stated that he is requesting a change of speed limit for a section of Ridgeview Road in Wagstaff. He would like to see the speed limit set at 30 mph instead of the current 55 mph. He is hoping for formal action on it next week.

Commissioner Gallagher stated that the residents on 215th near Youth Front Camp have complained about the traffic through that area, but Johnson County and Edgerton take care of that road.

Commissioner Dixon stated that he has spoken with SuddenLink and they have hired a landscaper to clean up previous messes.

Chairman Roberts stated that he had visited the basement of the courthouse with Jim Starling, Building and Grounds Director, to investigate the possibility of using the law library as a courtroom. They discovered that

the room was approximately the same size as Judge Montgomery's current courtroom. The law library then could possibly be moved to three smaller rooms that would be roughly the same area. They also discovered that none of the books currently in the law library show any moisture damage at all. Judge Harth would like to move forward using the Commission Chambers before the other judge gets appointed. That schedule would be the first Tuesday of every month and every Thursday. Shane Krull, County Administrator, and Janet White, County Clerk, expressed concern over scheduling with other departments using the chambers and Chairman Roberts recommended that they reserve the chambers when they need them and make it off limits for other uses.

EXECUTIVE SESSION

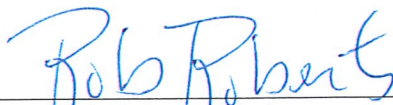
Commissioner Pretz moved to have a Personnel Exception Executive Session to discuss a non-elected personnel matter for 20 minutes beginning at 2:20 to include the Commissioners, County Administrator, and County Counselor. Commissioner Dixon seconded; the vote was unanimous. No action was taken at this time. Chairman Roberts reconvened the regular meeting at 2:40.

ADJOURNMENT

The meeting was adjourned at 2:40 p.m.

(Seal)




Rob Roberts, Chairman

ATTEST:


Janet White, County Clerk