

RESOLUTION 2019- 12

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, PURSUANT TO THE PROVISIONS OF K.S.A. 12-744, SPECIFYING THE NUMBERS OF MEMBERS OF THE COUNTY PLANNING COMMISSION, THE TERMS OF OFFICE OF SAID MEMBERS, THE PROCEDURE FOR APPOINTMENT, THE MEANS OF FILLING VACANCIES AND THE MEANS FOR THE REMOVAL OF MEMBERS OF THE PLANNING COMMISSION; RATIFYING ALL PRIOR ACTS AND RESOLUTIONS OF PREVIOUS COUNTY COMMISSIONS RELATING TO THE COUNTY PLANNING COMMISSION AND RESCINDING ALL PRIOR RESOLUTIONS OF THE BOARD NOT IN ACCORD WITH THIS RESOLUTION; RESCINDING RESOLUTION 2005-25**

**WHEREAS** the Board of County Commissioners of Leavenworth County, Kansas, has previously established a county planning commission; and,

**WHEREAS** this board has reviewed the acts of previous county commissions in establishing the rules for the composition and appointment of the county planning commission; and,

**WHEREAS** this board has determined that it is in the best interests of the citizens of the county that the rules for the composition and appointment of the county planning commission be set forth as provided for herein,

**NOW BE IT THEREFORE RESOLVED,**

1. That all prior acts and resolutions of previous county commissions relating to the county planning commission are hereby ratified.

2. That the county planning commission shall consist of nine (9) members, each appointed to one of nine positions on the commission. Each county commissioner district shall have apportioned to it one (1) member and not more than two (2) positions on the county planning commission. A person appointed to a position on the county planning commission apportioned to a specific county commissioner district shall reside within that district and shall be qualified as an elector in Leavenworth county. Four (4) members of the commission, selected as provided for herein, shall serve as at-large members. A person appointed to an at-large position on the commission shall be qualified as an elector in Leavenworth county. In order to promote fair representation of all areas of the county no more than *two* (2) members of the county planning commission shall reside within any one county commissioner district. The majority of the members of county planning commission shall reside outside of the corporate limits of any incorporated city in the county. The provisions of K.S.A. 12-744, as amended, shall be

complied with in determining the membership and composition of the planning commission.

3. The term of office for each position on the county planning commission, except as otherwise provided for herein, shall be for three years and until a successor is appointed. The term of office for persons appointed and qualified to serve on the planning commission, unless otherwise specified herein, shall end upon the last day of June three years following their entry into office and until a successor is appointed. No member of the planning commission shall serve more than three consecutive terms on the planning commission, provided that such member may be appointed to serve on the planning commission after a one (1) year absence from the planning commission. The term limitation provision contained herein shall apply prospectively and terms of service on the planning commission occurring before the adoption of this resolution shall not be considered in determining the term limitation applicable to any member of the planning commission serving at the time of the adoption of this resolution.

4. The initial appointment of the members of the planning commission, as provided for by this resolution, shall be by a majority vote of the board and as follows:

(a). On or before May 28, 2019, or on a date thereafter as may be selected by the board, each board member shall nominate a person to serve on the planning commission as the member apportioned to that district. That person, upon qualifying for office, shall serve a term of three years.

(b). On or before May 28, 2019, or on a date thereafter as may be selected by the board, any member of the board may nominate not more than two (2) persons to serve as at-large members of the commission. Those members of the commission, upon qualifying for office, shall serve a term of two (2) years. The term of office for subsequent appointees to those positions on the planning commission shall be for three (3) years.

5. Subsequent to the initial appointment of the members of the planning commission as provided for herein, the following procedures shall be used in appointing persons to serve on the county planning commission:

(a). Each board member shall, for the position on the planning commission apportioned to the county commissioner district of the board member, nominate a person for appointment to a position on the planning commission. The person so nominated must meet the qualifications for membership on the planning commission as set forth in paragraph 2 of this resolution.

(b). Each board member may nominate a person, or persons, to serve as an at-large appointment to the commission. The person so nominated must meet the qualifications for membership on the planning commission as set forth in paragraph 2 of this resolution.

(c). The person nominated to serve on the planning commission shall take office upon the approval of the board, by majority vote, and the execution by that person of an oath of office.


6. Any vacancy on the planning commission shall be filled in the same manner used to make appointments as provided in section 5 of this resolution.

7. Any member of the county planning commission may be removed for cause upon the vote of not less than three (3) members of the board of county commissioners. "Cause", for the purpose of this resolution, shall include, but not be limited to, absenteeism from planning commission meetings, conflicts of interest which render continued membership on the planning commission detrimental to the workings of the planning commission, lack of qualification for membership as defined herein and an exhibited failure to comprehend and apply the planning and zoning regulations of the county.

RESOLVED THIS 13<sup>th</sup> DAY OF MAY, 2019

  
DOUG SMITH, 3<sup>RD</sup> DISTR., CHAIR

  
VICKY KAAZ, 2<sup>ND</sup> DISTR.

  
MIKE STIEBEN, 5<sup>TH</sup> DISTR.

  
JEFF CULBERTSON, 1<sup>ST</sup>. DISTR.

  
CHAD SCHIMKE, 4<sup>TH</sup> DISTR.

ATTEST:   
JANET KLASINSKI, CLERK

