

\*\*\*\*\*January 3, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, January 3, 2024. Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Bill Noll, Infrastructure and Construction Services; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; John Richmeier, Leavenworth Times

Residents: Joe Herring

PUBLIC COMMENT:

Joe Herring commented on an agenda item.

ADMINISTRATIVE BUSINESS:

The Board discussed concerns regarding proposed legislation for property tax exemptions for disabled veterans.

Commissioner Culbertson will speak on behalf of the Board in Topeka along with written testimony.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, January 3, 2024.***

***Motion passed, 5-0***

Bill Noll presented an agreement with KDOT to spray noxious weeds in the state rights-of-way in the county.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve an agreement with KDOT to spray the noxious weeds in the state rights-of-way in the county.***

***Motion passed, 5-0.***

Amy Allison presented Resolution 2024-1, a rezone request from RR-5 to RR-2.5 for Blaser Farms.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to adopt Resolution 2024-1 and approve the rezoning as outlined in Case DEV-23-140 based on the findings on the Golden Factors as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.***

***Motion passed, 5-0.***

Ms. Allison presented Resolution 2024-2, a rezone request from RR-5 to all RR-2.5 located at 25680 Tonganoxie Drive.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to adopt Resolution 2024-2 and approve the rezoning as outlined in Case DEV-23-141 based on the findings on the Golden Factors as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.***

***Motion passed, 5-0.***

Ms. Allison presented Resolution 2024-3, a rezone request from RR-5 to RR-1(43) located on Gilman Road.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to adopt Resolution 2024-3 and approve the rezoning as outlined in Case DEV-23-142 based on the findings on the Golden Factors as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.***

***Motion passed, 5-0.***

Ms. Allison presented Resolution 2024-4, a rezone request from RR-2.5 to RR-1 located on 171<sup>st</sup> St.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to adopt Resolution 2024-4 and approve the rezoning as outlined in Case DEV-23-146 based on the findings on the Golden Factors as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.***

***Motion passed, 5-0.***

David Van Parys presented an amended agreement with Rural Water District #9 for the relocation of a main water line.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to review and consider the Tonganoxie Road water main relocation agreement and approve the agreement as submitted.***

***Motion failed, 2-2 Commissioners Mike Smith and Stieben voting nay and Commissioner Doug Smith abstained.***

A motion was made by Commissioner Stieben to resubmit the agreement with staff making the changes.

It was the consensus of the Board to reconsider this issue next week. Staff will prepare a counter proposal.

The Board discussed the city of Tonganoxie request for annexation.

Misty Brown indicated the city of Tonganoxie will resubmit the annexation request.

Commissioner Stieben will accompany Commissioner Culbertson on January 11<sup>th</sup> in Topeka to testify on the veteran's bill. He will also speak at the Linwood Public Library on January 11<sup>th</sup>.

Commissioner Culbertson indicated the city of Basehor is now supporting the LAVTR bill.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to adjourn.***

***Motion passed, 5-0.***

The Board adjourned at 10:02 a.m.