

**RESOLUTION 2021-25**

**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 REPEALING ALL PRIOR RESOLUTIONS OF THE BOARD NOT IN ACCORD WITH THIS RESOLUTION; REPEALING RESOLUTION 2019-12**

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

**WHEREAS** this board has reviewed the facts and circumstances 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 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 ten (10) members, each appointed to one of ten positions on the commission. Each county commissioner district shall have apportioned to it two (2) members and not more than two (2) members of the planning commission shall reside in any one commission district. 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. No more than four (4) members of the planning commission shall reside within an incorporated city within 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 members of the planning commission appointed shall meet at their earliest opportunity to elect from among themselves a chairperson. That chairperson shall serve as a non-voting member of the commission unless a tie vote occurs, in which case the

chairperson shall cast the deciding vote. The term of the chairperson shall be for two (2) years and no member shall serve consecutive terms as chairperson. The planning commission may adopt such by-laws as they deem necessary, provided such by-laws comply with all applicable laws.

3. The term of office for each position on the county planning commission 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 following procedures shall be used in appointing persons to serve on the county planning commission:

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

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

5. Any vacancy on the planning commission shall be filled in the same manner used to make appointments as provided in section 4 of this resolution.

6. 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, a lack of decorum while participating in meetings 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 8<sup>th</sup> DAY OF July, 2021

Mike Smith  
MIKE SMITH, 3<sup>RD</sup> DISTR., CHAIR

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

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

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

Doug Smith  
DOUG SMITH, 4<sup>TH</sup> DISTR.

ATTEST: Janet Klasinski  
JANET KLASINSKI, CLERK

