

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairman David E. Lee, Jerry Daniels, Commissioner, Bruce Symes, Commissioner, and Shannon Patterson, Allen County Clerk.

Mitch Garner, Allen County Public Works Director, Mark Griffith, Allen County Road and Bridge Director, Rick Aiello, Allen County employee, Terry Call, Zoning Administrator, Vicki Moss, Iola Register Representative, Robert Johnson, Allen County Counselor, Bryan Murphy, Allen County Sheriff, and Paul Zirjacks, citizen, was present to observe the meeting.

Chairman Lee led the group in the Pledge of Allegiance.

Commissioners approved the minutes of the regular meeting on May 2, 2023.

Chairman Lee asked for public comment; there was none.

Mitchell Garner, Public Works Director, reported the contractors are at the landfill and working on stripping dirt off the old cell site. The utility company has come to mark where the new electric poles will be. They will need to put two new meters on the poles.

Mitch reported the utility company is coming to look at poles that may need taken down near the airport to bring in the museum. Discussion followed.

Chairman Lee asked if the pricing has come in for a new hydro seeder. Mitch stated the quotes have not come in yet. Discussion followed on the other options they are looking at and pricing for such.

Commissioner Daniels asked about runway painting. Mitch stated they are waiting until after July 1 to be able to paint taxiway and runway at same time.

Mark Griffith, Road & Bridge Director, reported that they are out spraying the roads with the water truck.

Mark reported he spoke with someone on setting up a curriculum for how to train up CDL drivers. If he completes one and it get approved, he would be able to train drivers before they take their CDL testing. Then they would be able to get their hours in with current CDL drivers with the county. Discussion followed.

Mark reported they have poured the bottom section of the bridge at 2000 Rd and North Dakota. That section needs to set before pouring the edges.

Chairman Lee asked about all the equipment that Mark has purchased. Mark stated they should all be coming in soon.

Commissioner Symes asked about an email regarding storage yards for the NextEra Blackberry Transmission Line. Discussion followed.

Sheriff Murphy stated that the gate at the range had been damaged. He stated he may look at putting a camera out there.

Terry Call presented Resolution 202305 A Resolution Amending the Allen County Zoning Regulations to Include Setback Distances for Structures Taller Than 50'.

RESOLUTION NO. 202305
ALLEN COUNTY, KANSAS

**A RESOLUTION AMENDING THE ALLEN COUNTY ZONING REGULATIONS TO INCLUDE
SETBACK DISTANCES FOR STRUCTURES TALLER THAN 50'**

WHEREAS, the Allen County zoning regulations currently do not make provision for the construction of structures taller than 50 feet; and

WHEREAS, Government's primary responsibility is to protect the health, safety, and welfare of the public; and

WHEREAS; Structures of greater height are being installed in increasing number; and

WHEREAS, the Board of County Commissioners of Allen County desires to provide regulations for the orderly development of any such systems in Allen County; and

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

Effective May 9, 2023, Article 5, Section 5-101(D) shall be amended to include the following language:

(D) Setback requirements. For Districts A and A1 there shall be no structures taller than 50 feet located closer than 1.1 times the height of structure to a road right-of-way:

RESOLVED THIS 9th DAY OF MAY, 2023.

The need for this resolution was brought upon by a proposal for a communications tower that may be in the works. He explained the height and setback requirements they were looking at. The resolution will be placing the set back at 1.1 times the height of the structure. Commissioner Symes moved to adopt Resolution 202305 A Resolution Amending the Allen County Zoning Regulations to Include Setback Distances for Structures Taller 50'. Commissioner Daniels seconded; motion passed 3-0-0.

Commissioner Symes moved to go into executive session for 10 minutes for land acquisition. Commissioner Daniels seconded; motion passed 3-0-0. The time is now 8:52 a.m. Those present will be Commissioners, Mark Griffith, Road & Bridge Director, and Robert E. Johnson, II, Allen County Counselor. Commissioners reconvened at 9:02 a.m. No action taken.

Larry Bartlett, citizen, joined the meeting.

Becky Johnson, Southeast Kansas Multi-County Health Department, joined the meeting.

Becky presented the commissioners with their budget request for 2024. They will be asking for the same amount as last year, \$115,000.00. She explained some of the services they provide. Discussion followed.

Larry Bartlett presented a picture of the ditch directly in front of his house. He is concerned as to why his ditch was sprayed for noxious weed when he does not have any. He spoke with Mitch as well about his concerns. Discussion followed.

Robert Johnson, County Counselor, reported that the notice of tax sale has been published. The notice not only has the legal description, but it now contains the street address. Discussion followed.

Terry Call discussed the zoning hearing held on April 27, 2023. Jennifer Chester applied for a zoning change from agricultural to commercial of her 3.3 acres in order to build a drive-thru coffee shop. Steve Strickler was in attendance at this meeting and voiced his concerns with the traffic driving down North Dakota Rd, where his dairy farm is located. Jennifer has since been in contact with Mark Griffith to possibly put up some signs on North Dakota indicating people crossing the road or children playing. Commissioner Daniels moved to accept the recommendation of the zoning board to approve the

request to change 3.3 acres from agricultural to commercial for the purpose of a drive-thru coffee shop. Commissioner Symes seconded; motion passed 3-0-0.

Commissioner Symes moved to go into executive session for 20 minutes for contract negotiations. Commissioner Daniels seconded; motion passed 3-0-0. The time is now 9:54 a.m. Those present will be Commissioners, Terry Call, Zoning Administrator, and Jerry Hathaway, Allen County Attorney. Commissioners reconvened at 10:14 a.m. No action taken.

Commissioner Symes moved to go back into executive session for 20 minutes for contract negotiations. Commissioner Daniels seconded; motion passed 3-0-0. The time is now 10:15 a.m. Those present will be Commissioners, Terry Call, Zoning Administrator, and Jerry Hathaway, Allen County Attorney. Commissioners reconvened at 10:35 a.m. No action taken.

Chairman Lee stated the commissioners will be negotiating with the City of Iola on the ambulance contract. The City of Iola has extended their date of ending service to October 1, 2023.

Due to several absences, there will be no meeting on May 16, 2023.

Commissioners reviewed the following documents:

- a) Letter from concerned citizen regarding ambulance service contract
- b) April Solid Waste Financial statement
- c) April Fund Status report
- d) April monthly statement from Noxious Weed Dept & Treasurer's office

Commissioners approved the following documents:

- a) Clerk's Vouchers – \$119,667.96
- b) Clerk's Journal Entries - #25
- c) Payroll – Vacation carryover of 19 hours for Brian Plumlee
- d) Payroll – Enrollment for Ed Foster
- e) Payroll – Mileage reimbursement for Shannon Patterson
- f) Abatements – RE, Value 2136, \$400.70, Year 2022

With no further business to come before the board, Commissioner Symes moved to adjourn, Commissioner Daniels seconded, and motion passed 3-0-0. Meeting was adjourned at 10:39 a.m. until Tuesday, May 23, 2023 at 8:30 a.m. in the Assembly's Room of the courthouse.

David Lee, Chairperson

Bruce Symes, Commissioner

Shannon Patterson, County Clerk

Jerry Daniels, Commissioner