

AGENDA

POTTAWATOMIE COUNTY, KANSAS
BOARD OF COUNTY COMMISSIONER'S
District 1, Deloyce McKee – Member
District 2, Dennis Weixelman – Vice Chair
District 3, Greg Riat – Chair

REGULAR MEETING

September 20, 2021 8:30 am

612 E Campbell, Westmoreland - Sunflower Room

- 8:30 1.0 CALL TO ORDER REGULAR MEETING WITH FLAG SALUTE
- 2.0 ROUTINE ITEMS
- 2.1 Approval of Agenda Items
 - 2.2 Approval of Minutes
- 3.0 COMMENTS FROM THE PUBLIC (Non Agenda Items Only, limited to 3 min)
- 4.0 DEPARTMENT UPDATES
- 4.1 Health Director - Leslie Campbell
 - 4.2 EMGT Director - Jennifer Merrow
 - 4.3 Human Resources - Whitney Phebus
 - 4.4 Sanitarian/Landfill - Scott Schwinn
 - 4.5 Noxious Weed Director - Tim Eisenbarth
 - 4.6 Planning & Zoning - Gregg Webster
 - 4.7 Public Works - Lancy Forgy
 - 4.8 Commissioners Updates
 - 4.9 Administration Office
 - 4.10 County Counselor
- 5.0 CONSENT ITEMS* (Approve all by single motion, unless discussion is needed)
- 5.1 Tax Corrections
 - 5.2 Ledger Transactions
- 6.0 ADJOURNMENT

AND OTHER COUNTY MATTERS THAT MAY ARISE

The times indicated are used as estimated times only by the Commission to assure that individuals requesting time to discuss business with the Board of County Commissioners are provided an opportunity to do so. New business and topics are scheduled following the completion of scheduled meeting times.

Note: The agenda is set Wednesday at 4:30 p.m.

RESOLUTION# 2021-90 AND PROCLAMATION

PROCLAMATION of a State of Local Disaster Emergency for Pottawatomie County, Kansas

WHEREAS, on the 20th day of September, 2021, the Board Of County Commissioners of Pottawatomie County, Kansas declared there was a state of local disaster emergency in Pottawatomie County, Kansas resulting in widespread and severe impact to the local jurisdiction, including but not limited to damage, injury or loss of life or property in, Pottawatomie County, Kansas; and

WHEREAS, such conditions remain to create significant impact to everyday life and/or endanger the public health, safety and welfare of persons and property within the borders of Pottawatomie County, Kansas.

NOW, therefore, be it resolved by the Board of County Commissioners of Pottawatomie County, Kansas:

That the Board of County Commissioners of Pottawatomie County, Kansas, under and by virtue of the authority in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Pottawatomie County, Kansas covered by this proclamation/resolution is the entire area of Pottawatomie County, Kansas.

BE IT FURTHER RESOLVED that said Board has all rights and/or power to perform such functions as are vested in said Board by through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of 30 days from the date of this Resolution unless terminated earlier or renewed by consent of the governing body, this Resolution being a renewal of Resolution # 2021-84

ADOPTED BY THE BOARD OF POTTAWATOMIE COUNTY COMMISSIONERS THIS 20th day of September, 2021.

County Commissioner- Chair

County Commissioner- Vice Chair

County Commissioner- Member

Attest:

County Clerk

Recruitment information known as of September 20, 2021

New Hires/Promotions/Reclass			
Dept	Position	Effective date	Applicant
90	General Technician	8/31/2021	external
90	Truck Driver	9/1/2021	external
90	Heavy Equipment Operator	9/1/2021	internal
78	Jailer Recruit	9/7/2021	external
78	Jailer	9/7/2021	external
102	Temporary Medical Clerk	9/14/2021	external

New Vacancies Since Last Update			
Dept	Position	Reason	Date
78	Jailer	Termination	8/6/2021
78	Jailer Recruit	Termination	8/14/2021
75	Deputy	Termination	9/8/2021
63	Paramedic	Retirement	9/10/2021
63	Paramedic	FT to PRN	9/14/2021
72	Emergency Management Coordinator	Termination	10/1/2021
30	Accounts Payable Clerk/ Election Analyst	Termination	Tentative

Vacancies		
Dept	Position	Status
63	Paramedic PRN	accepting applications
78	Jailer Recruit	accepting applications
87	Sprayer Operator-Noxious Weed	accepting applications
90	Public Works Administrator	accepting applications
90	Truck Driver	accepting applications
90	Seasonal Laborer	accepting applications
90	General Technician	accepting applications
90	Section Patrolman	accepting applications
102	Temporary Medical Clerk	accepting applications
102	Temporary LPN, C.N.A, RN or Med. Assist.	accepting applications
111	Mini-Bus Driver (on-call)	accepting applications

COUNTY COMMISSION MEMORANDUM

DATE: September 20, 2021
FROM: Scott Schwinn, County Sanitarian/Transfer Station Supervisor
To: Board of County Commissioners
Subject: Annual review of County Solid Waste Plan

BACKGROUND

Kansas Statues require every County to have a Solid Waste Management Plan and Solid Waste Committee. The Solid Waste Committee is required to review the plan annually and to submit any changes to the Kansas Department of Health and Environment. In Pottawatomie County, the Solid Waste Committee consists of seven members as appointed by County Commission. Members must include at least one member from a Class II City and at least one member from a class III city from within the County.

Each year the Committee meets and reviews the activities of the Transfer Station, C & D Landfill and HHW. The Committee is also required to review the Solid Waste Plan and approve any changes to the Solid Waste Plan.

As part of the requirement of Kansas Statute K.S.A. 65-3405 (d) the County Commission is required to review the Solid Waste Committees report and adopt by Resolution the annual report.

POSSIBLE MOTION

The following alternatives are available to the Board of County Commission

1. Vote to accept by Resolution the annual report submitted by the Solid Waste Committee.
2. Vote to not accept the annual report as submitted by the Solid Waste Committee.
3. Table the Report and address at a later date.

Committee recommends that County Commission accepts by Resolution annual report from the Solid Waste Committee.

POTTAWATOMIE COUNTY
SOLID WASTE PLANNING MEETING
SEPTEMBER 15, 2021

Jack Plummer Chairman called meeting to order at 6:35 P.M. with the following Committee Members present.

Committee Members

Chairman Jack Plummer

Christine Hitch-General member/hauler

Scott Schwinn-Secretary/Transfer Station-Landfill Supervisor

Pat Briggs-General member

Tim Eisenbarth- Recycling Coordinator

Phyllis Hupe- Representative of 3rd Class Cities

1.) Tim Eisenbarth moved and Christine Hitch second to approve minutes from September 9, 2020. Motion approved 6-0.

TRANSFER STATION/LANDFILL/HHW

2a) Tim gave a report on Recycling program and explained the 2020-2021 recycling at the Weed Department. All committee members received information on the quantities of materials recycled at the Landfill and Transfer Station. Tim informed committee that in 2020 that the County recycled 374,161 lbs. Currently through 2021, 291,605 lbs. have been recycled. Tim explained that the largest recyclable is still cardboard. They have also sold baled aluminum cans.

2b) Tim discussed the HHW. Pottawatomie County is part of a 10 county group and everything still goes through Riley County. The HHW facility managed 103,452 pounds of waste in from July 2020, and through August 2021 77090lbs. Most of the weight for HHW being latex paint.

2c) Scott gave a breakdown on tonnage brought to the Landfill and Transfer Station for 2020-21. Total tons for 2020 were 16,309 ton and currently for 2021 through August, it is at 10,884 ton and estimated tons at year-end will be 16,000.

2d) Scott gave a report on the 2021 Tire and Refrigeration appliance amnesty. There were 4487 tires, and 87 refrigeration appliances. The cost of disposal of the tires was \$10966 and appliance disposal was \$1305 for a total of \$12271. The

2019 tire and refrigeration amnesty collected 3284 tires and 70 refrigeration appliances. The cost to the county for disposal was \$7832.

2e) Scott presented the 2022 budget as approved by the County Commission. 2022 total budget of \$879,900 a slight% increase over 2021 budget of \$879,649.

Christine Hitch moved and second by Phyllis Hupe to accept reports as presented, all in favor.

ANNUAL REVIEW OF SOLID WASTE MANAGEMENT PLAN

The Committee was provided with the annual plan update, and the Committee addressed the County's Solid Waste plan and discussed if there were any changes that needed to be addressed. The Committee recommended no changes to solid waste plan at this time.

Tim Eisenbarth moved to accept plan as presented, Christie Hitch second. All in favor

ELECTION OF OFFICERS

Christie Hitch moved to keep current officers, and Tim Eisenbarth second Jack Plummer to continue as Chairman, and Scott Schwinn to continue as Secretary. All in favor.

ADDITIONAL BUSINESS

Scott discussed CIP project lists for the Transfer Station/Landfill. Currently items on the list include

- The installation of a Wash pad with Holding tank, completed.
- Replacement of scales at Transfer Station in July of 2020.
- Lining of interior walls of Transfer Station
- Remodel of Scale House office, planned for Spring 2022.

Committee chair Jack Plummer thanked all those present for attending this years meeting.

Hearing no other business, Jack Plummer asked for a motion to adjourn, so moved by Christine Hitch, second by Tim Eisenbarth. Meeting adjourned at 7:30pm.

POTTAWATOMIE COUNTY RESOLUTION No. 2021 - _____

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
POTTAWATOMIE COUNTY, KANSAS, ADOPTING THE ANNUAL
REVIEW OF THE SOLID WASTE MANAGEMENT PLAN

WHEREAS the Pottawatomie County Solid Waste Committee has completed its annual review of the Solid Waste Management Plan pursuant to K.S.A. 65-3405(c), and

WHEREAS the Solid Waste Committee has submitted a report of their review to the Pottawatomie County Commission for approval and adoption, and

WHEREAS pursuant to K.S.A. 65-3405 (d), the Pottawatomie County Commission has reviewed the report of the Solid Waste Committee.

NOW THEREFORE, BE IT RESOLVED, THAT THE POTTAWATOMIE COUNTY COMMISSION HEREBY APPROVES AND ADOPTS THE REPORT OF THE SOLID WASTE COMMITTEE'S ANNUAL REVIEW OF THE SOLID WASTE MANAGEMENT PLAN.

Dated this 20th day of September, 2021

Board of County Commissioners
Pottawatomie County, Kansas

By: _____
Greg Riat, Chair

Attest:

Pat Weixelman , Member

Dawn Henry, County Clerk

Deloyce McKee , Member



Pottawatomie County Noxious Weed Dept

405 E. Campbell
Westmoreland, KS 66549
Office: 785-457-2888 Fax: 785-457-2849

September 13, 2021
Commissioners' Meeting- 08:30 A.M.
Tim Eisenbarth - Director

Chemical Sales

- **August 2021:** 80 invoices: Total: \$29,013.31
 - Total Per Year to Date: \$194,293.49
- **August 2020:** 82 invoices: Total: \$10,782.83
 - Total Year to Date: \$207,180.17
- **Solid Spray Acres**
 - Total Year to Date: 1,098.3 acres

Cemetery

- #9 Mowing completed

Recycling

- Bales In House
 - August: 11 bales of cardboard
- 9145 lbs. of aluminum cans sent to Howie's

HHW

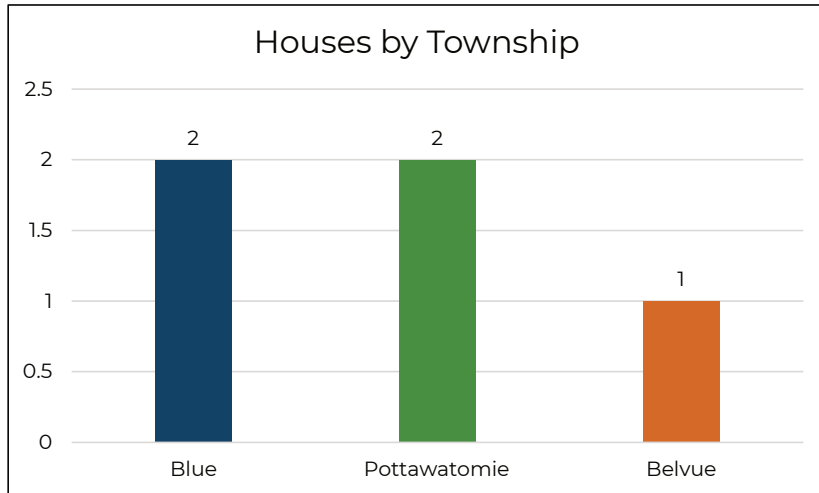
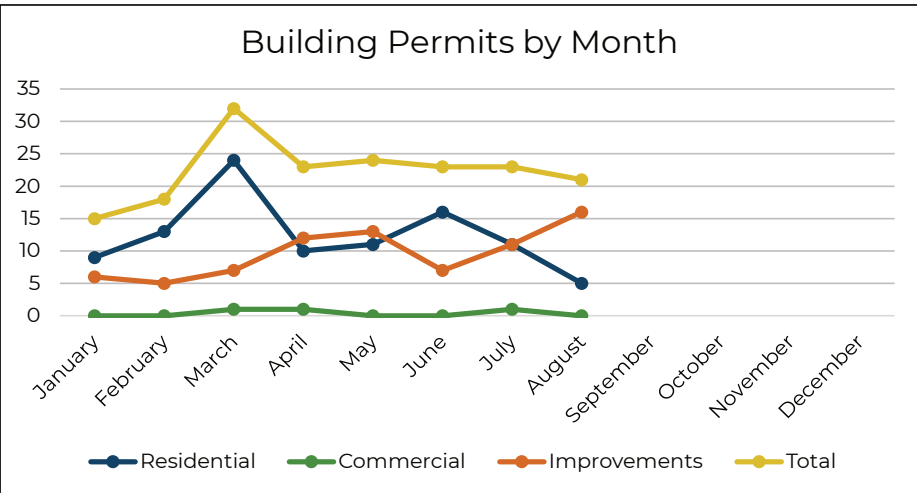
- Kansas Hazardous Waste Program-Annual Report
 - Bulk Latex Paint: 25,302 lbs.
 - Bulk Used Oil: 31,440 lbs.
 - Bulk Oil-Based Paint: 6,100 lbs.
 - Bulk Fuels: 2,096 lbs.
 - Batteries-Lead Acid: 2,130 lbs.
 - Electronic Waste: 5,780 lbs.

Projects

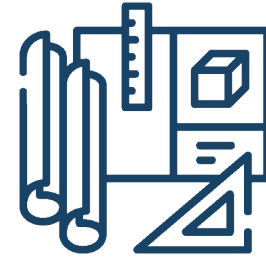
- Spraying of Sericea Lespedeza for KDOT and County.
- Prepping for the September 14th Purple Wave Sale.
- Seeded and mulched Round Tree Road.
- Made three retirement plaques.

August 2021

Monthly Building Permits

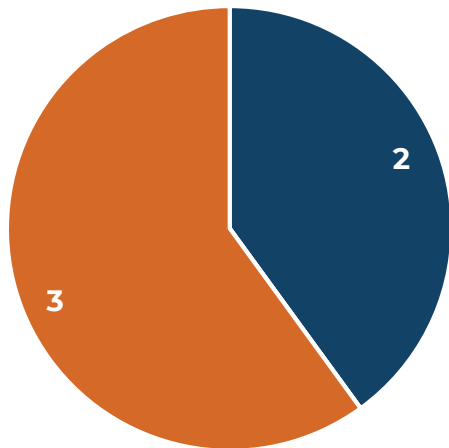


Average Home Value
\$452,000

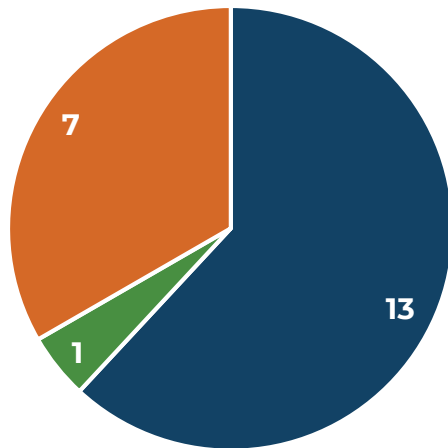


Average Home Size
2,018 Sq Ft

August 2021

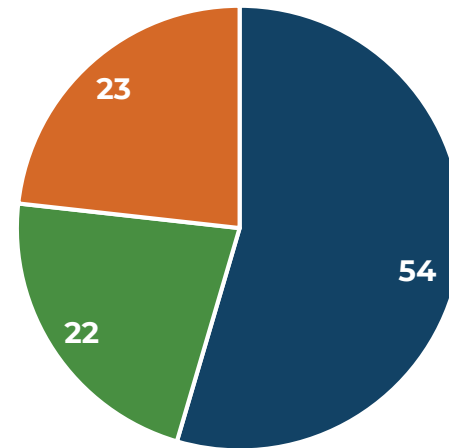


August 2020

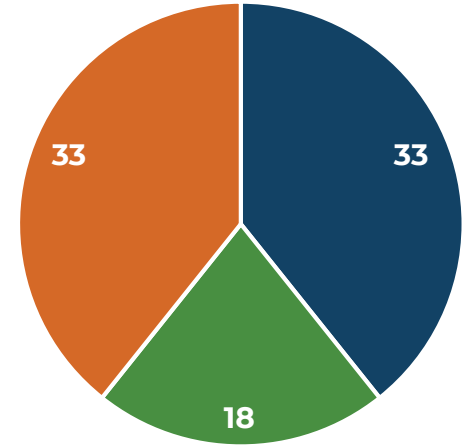


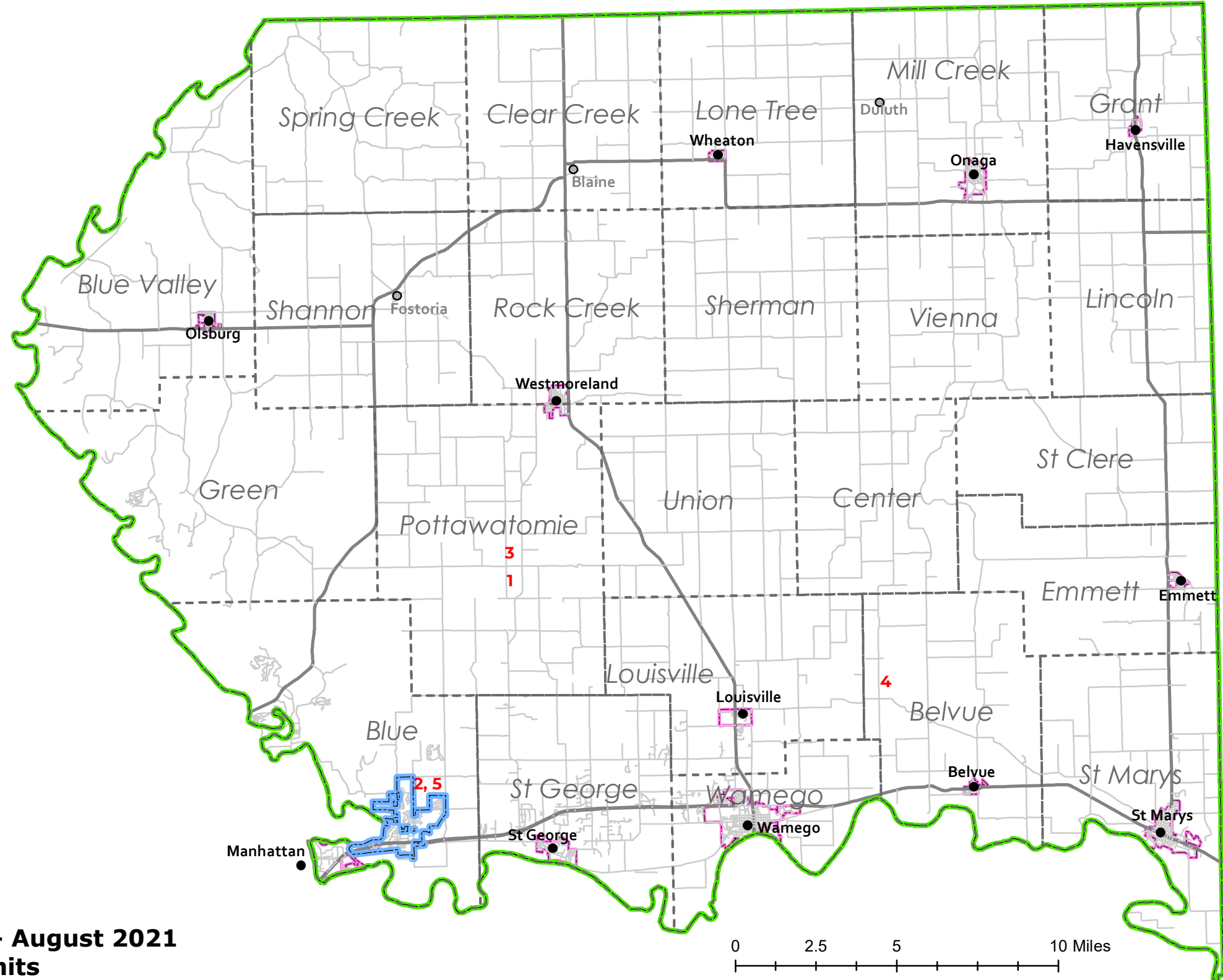
- Blue Twp Sewer District
- Non-Subdivision
- Rural Subdivision

2021 Year to Date

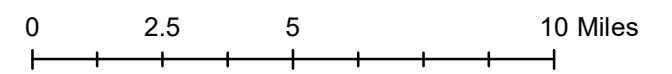


2020 Year to Date





**Locator Map - August 2021
Building Permits**



PERMIT NO	APPLICANT	ADDRESS	CITY/STATE/ZIP	LEGAL DESCRIPTION	S-T-R	IMPROVEMENT	VALUE
8724	TREVOR JENSEN	4360 CHRISTI LN	ST GEORGE, KS 66535	LOT 1 EASTLAND HILLS ESTATES	05-10-09	ACCESSORY BUILDING	\$40,000.00
8725	DAWN SHULTZ	14097 OAK LEAF CIR	WAMEGO, KS 66547	LOT 2 OAK POINTE ESTATES	11-10-09	IN-GROUND POOL	\$100,000.00
8726	FINAN CONSTRUCTION	21860 FOURMILE RD	FRANKFORT, KS 66427	TR IN E1/2 OF SE1/4	18-06-08	ADDITION	\$150,000.00
8727	FINAN CONSTRUCTION	18955 SHANNON RD	BLAINE, KS 66547	W1/2 NW1/4 AND NW1/4 OF SW1/4	06-07-09	FARM BUILDING	\$20,000.00
8728	ALFRED SCHMELZ	10165 LOUX RD	ST GEORGE, KS 66535	TR IN SW1/4 OF NW1/4	32-08-09	DWELLING	\$420,000.00
8729	CHELSEA HOLLEY	8718 KINZIE JOS WAY	MANHATTAN, KS 66502	LOT 113 NELSON'S RIDGE UNIT 4	03-10-08	ADDITION	\$2,500.00
8730	LL INVESTMENTS	5800 PHEASANT RIDGE RD	MANHATTAN, KS 66502	TR IN SE1/4 OF SW1/4	07-09-08	ACCESSORY BUILDING	\$40,000.00
8731	THE CARSON COMPANY	4829 BANNER DR	MANHATTAN, KS 66502	LOT 35 HERITAGE HILLS UNIT 2	34-09-08	DWELLING	\$650,000.00
8732	PINNACLE HOMES OF KANSAS, INC	10635 LOUX RD	ST GEORGE, KS 66535	TR IN SW1/4	29-08-09	DWELLING	\$650,000.00
8733	PAT WEIXELMAN	7645 ONAGA RD	BELVUE, KS 66407	TR IN SW1/4 OF NE1/4	18-09-11	DWELLING	\$180,000.00
8734	DUSTIN THORNTON	4636 RAVEN CREEK DR	MANHATTAN, KS 66502	LOT 20 IRVINE ACRES UNIT 1	03-10-08	DWELLING	\$360,000.00
8735	RYAN AND KELLI GRIEVES	4746 GRANTHAM DR	ST GEORGE, KS 66535	LOT 2 OAKMONT FARMS UNIT 3	05-10-09	IN-GROUND POOL	\$25,000.00
8736	JOHN FAIRBANKS	16830 DAY RD	ONAGA, KS 66521	TR IN NE1/4	23-07-11	FARM BUILDING	\$29,500.00
8737	TRAVIS R GREENE	21640 SAVANNAH RD	HAVENSVILLE, KS 66432	TR IN S1/2 OF SW1/4	18-06-12	FARM BUILDING	\$100,000.00
8738	RE:DONE LLC	8728 EAGLES LANDING DR	MANHATTAN, KS 66502	LOT 6 EAGLES LANDING UNIT 1	10-10-08	BASEMENT REMODEL	\$28,000.00
8739	ROSS MANUEL	22025 SAVANNAH RD	HAVENSVILLE, KS 66432	NE1/4	18-06-12	FARM BUILDING	\$18,700.00
8740	K-CONSTRUCTION	5250 BLUE RIVER RD	MANHATTAN, KS 66502	TR IN SW1/4 OF NW1/4	32-09-08	ACCESSORY BUILDING	\$213,800.00
8741	OSCAR CAMACHO	11624 BOB'S LN	ST GEORGE, KS 66535	LOT 12 DRURY ACRES	32-09-09	ACCESSORY BUILDING	\$10,500.00
8742	ROBERT BESENYI	4871 WILDRIDGE CIR	WAMEGO, KS 66547	LOT 45 WILDRIDGE SUBDIVISION REPLAT LOTS 15, 27, 29-33	34-09-09	ACCESSORY BUILDING	\$60,000.00
8743	DAMON NEWELL	5825 TRAYTONS LN	WAMEGO, KS 66547	LOT 14 NORTHERN ESTATES	29-09-10	ACCESSORY BUILDING	\$20,000.00

8744	ANDY PRICE	3936 GOLDEN EAGLE DR	MANHATTAN, KS 66502	LOT 156 EAGLES LANDING UNIT 7	10-10-08	ADDITION	\$300.00
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TOTAL VALUATION **\$3,118,300.00**

BOARD OF COUNTY COMMISSIONERS
AGENDA MEMO
September 20, 2021

FROM: Gregg Webster, Zoning Administrator
BOCC MEETING DATE: September 20, 2021
SUBJECT: Road Vacation Request – A Portion of Road #485

BACKGROUND

Petitioner / Property Owner: Justin Meyer

Location: Approximately 3 miles north of Hwy 24 / City of Belvue, on the east side of Lost Creek Road. The right of way extends east from Lost Creek Road for approximately ¾ mile.

Request: To vacate all that portion of County Road #485 located in the Southwest Quarter of Section 14, Township 9, Range 11, and in the Northwest Quarter of Section 23, Township 9, Range 11 in Belvue Township. The request is to vacate an un-named and un-used road right of way. No physical road exists. The right of way would provide access to the petitioner's property only.

The petitioner is requesting the BOCC accept the petition and set a date for a public hearing for the vacation request.

BOCC ACTION OPTIONS

You are not taking action on the road vacation request today, you are only taking action on whether to set a public hearing date, at which time you can approve or deny the vacation request. If you agree to schedule a public hearing for the request, notice of that hearing will be published in the newspaper at least 20 days prior to the hearing.

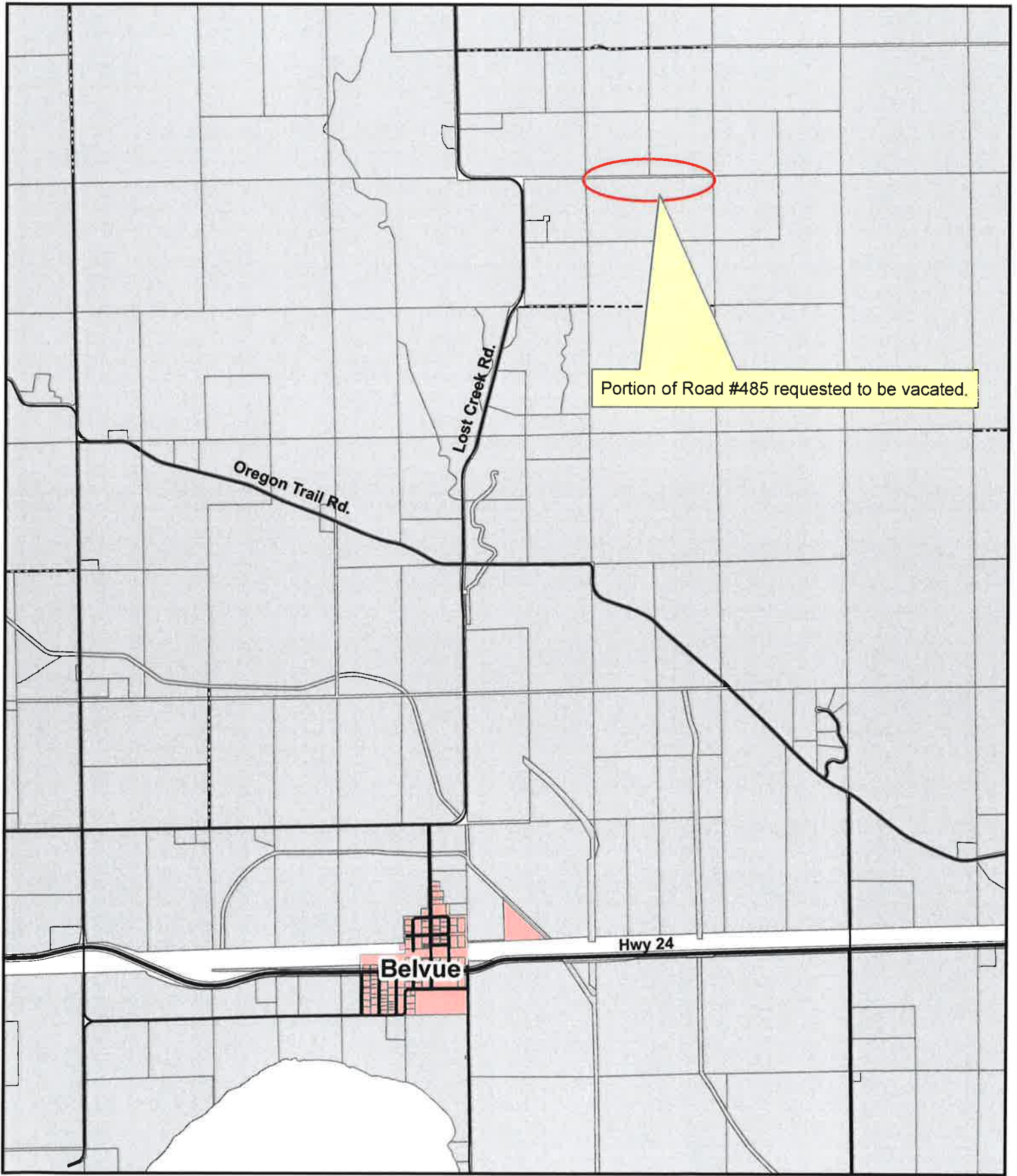
It appears the BOCC has the following options:

By motion,

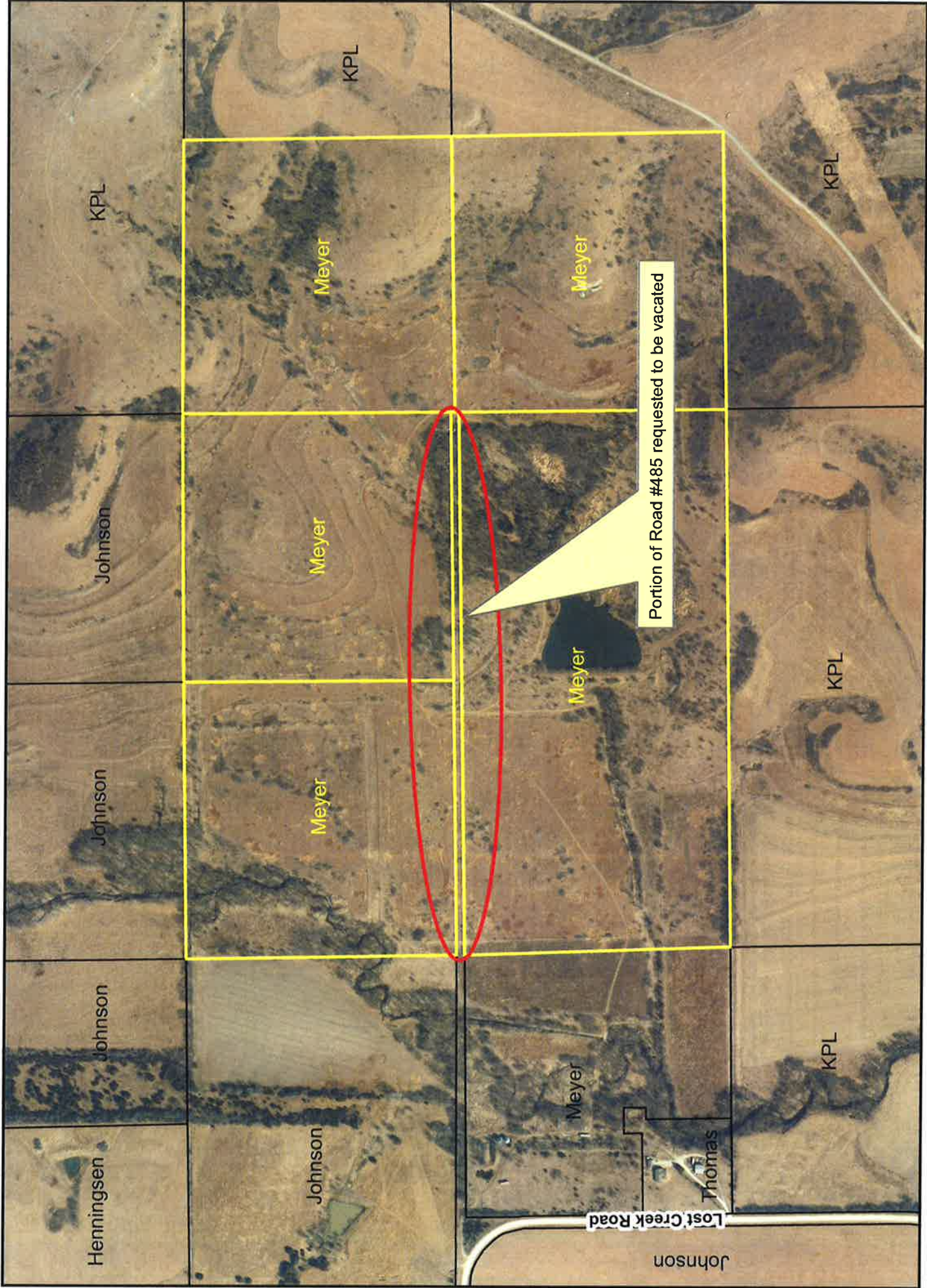
- (1) Accept the petition and set a hearing date for the road vacation request.
- (2) Deny the petition, stating reasons for denial.
- (3) Table the request to a future date, taking no action on the petition.

Enclosures:

1. Copy of Petition
2. Locator Map
3. Vicinity Map



Road #485 - Locator Map



Portion of Road #485 requested to be vacated



Vicinity Map - Road #485

BOARD OF COUNTY COMMISSIONERS
AGENDA MEMO
September 20, 2021

FROM: Gregg Webster, Zoning Administrator
BOCC MEETING DATE: September 20, 2021
SUBJECT: Plat Approval – Oak Pointe Estates Unit 2

“Oak Pointe Estates Unit 2” – Final Plat – A Re-plat of Lots 4 and 5, Oak Pointe Estates Subdivision

BACKGROUND

Applicants / Property Owners: Jeffrey Hake, Tara Raney Hake – Lot 4
Douglas Kern, Susan Kelpo, Nancy Kelpo – Lot 5

Surveyor: Force Land Surveying

Location: Oak Pointe Estates Subdivision is located approximately ¾ mile south of Hwy 24, on the east side of Appleyard Road, in St. George Township.

Zoning: AR – Agriculture / Residential

Utilities: Water - Pottawatomie County Rural Water District #1
Sewer – On-site wastewater systems
Electric – Bluestem Electric Cooperative
Gas – Kansas Gas

Proposal: This purpose of this plat is to simply make a lot line (property line) adjustment between the two lots, and vacate an un-used utility easement along the original lot line.

Access: Existing driveways to each lot provide access. No new entrances are being proposed, and no new public streets are being created by this plat.

Review: This plat has been reviewed by County staff, and is found to be in substantial conformance with the subdivision regulations and sanitary code.

PLANNING COMMISSION REVIEW / APPROVAL

The Planning Commission unanimously approved the final plat at their May 20, 2021 meeting.

BOCC ACTION OPTIONS

It appears the BOCC has the following options:

By motion,

(1) Approve the final plat.

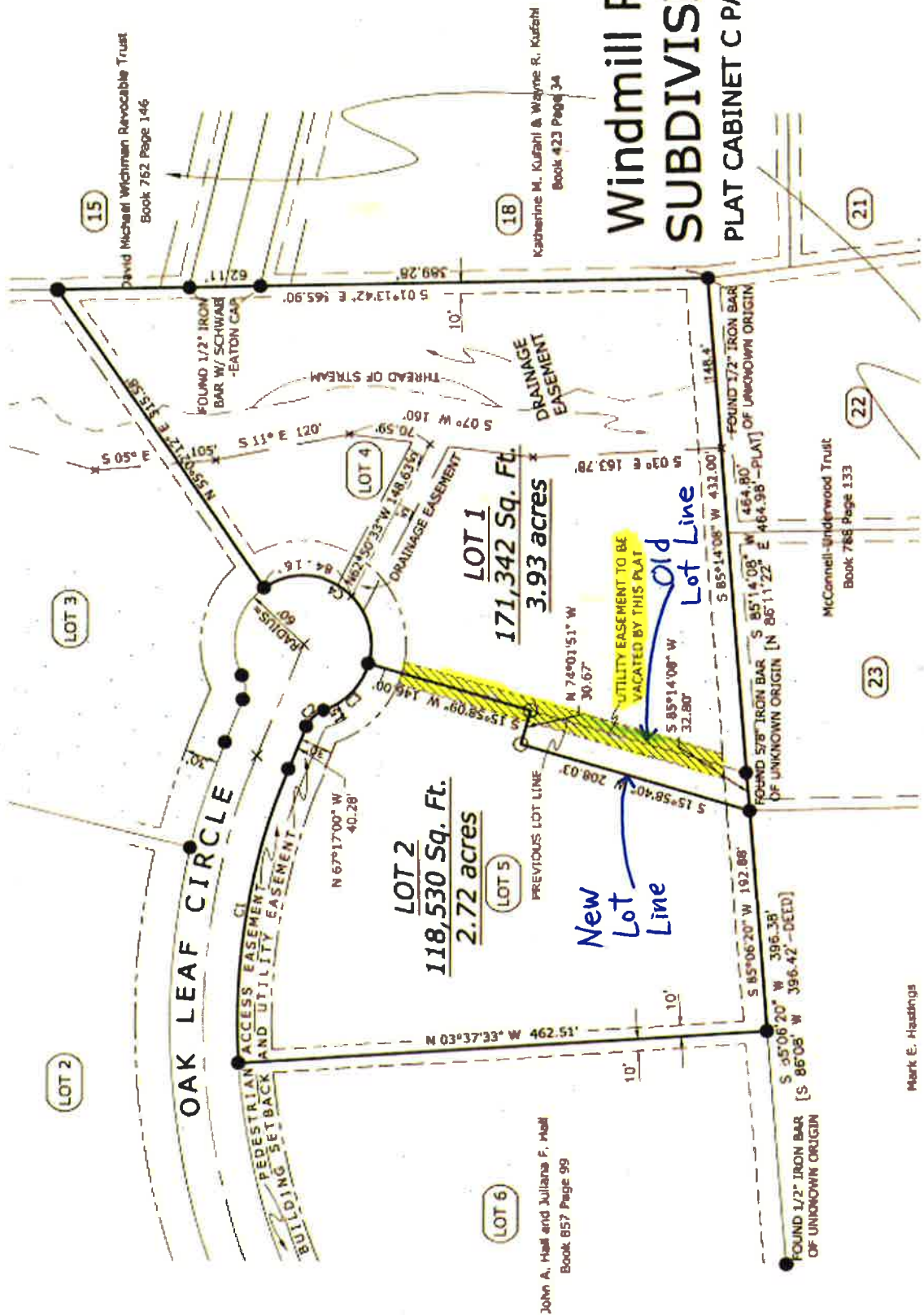
(2) Deny the final plat because it does not conform to County regulations, and state specific reasons for denial.

(3) Table the request, stating specific reasons why, and provide further direction to County Staff.

Enclosures:

1. *Locator Map*
2. *Copy of the Final Plat*

Windmill Run SUBDIVISION PLAT C CABINET C PAGE 93



David Michael Wichman Revocable Trust
Book 752 Page 146

Katherine M. Kufahl & Wayne R. Kufahl
Book 423 Page 34

McConnell-Underwood Trust
Book 788 Page 133

John A. Hall and Juliana F. Hall
Book 857 Page 99

Mark E. Hastings

POTTAWATOMIE COUNTY PLANNING BOARD

State of Kansas }
 County of Pottawatomie } SS:
 Approved this 20th day of May, 2021 A.D.

POTTAWATOMIE COUNTY PLANNING BOARD

Andrew Klein } Marcie Wood
 Chairman Secretary
 Andrew Klein Marcie Wood

COUNTY OFFICIALS

John Watt } Gregg Webster
 County Counselor County Zoning Administrator
 John Watt Gregg Webster

Nathan Bergman } Stephan Metzger
 Acting County Engineer County Planner
 Nathan Bergman Stephan Metzger

Scott Schwinn } Jared Barnes
 County Sanitarian Fire Supervisor
 Scott Schwinn Jared Barnes

Jennifer Merrow
 Emergency Management Director
 Jennifer Merrow

CERTIFICATE OF COUNTY COMMISSION

State of Kansas }
 County of Pottawatomie } SS:
 Approved this _____ day of _____, 2021 A.D.

BOARD OF COUNTY COMMISSIONERS OF POTTAWATOMIE COUNTY, KANSAS

Greg Riatt - Chair

Dennis P. Weixelman - Vice-Chair

Deloyce McKee - Member

ATTEST:

County Clerk
Dawn R. Henry

POTTAWATOMIE COUNTY REVIEW SURVEYOR CERTIFICATE

This plat has been reviewed and approved for filing pursuant to , and in compliance with, K.S.A. 58-2005, and with the requirements of Pottawatomie County Resolution No. 2015-52. No other warranties are extended or implied.

Approved by: Tim Sloan Date: 7/23/2021
 (signature)
Tim Sloan License: 783
 (print name)

OWNER'S CERTIFICATE

State of Kansas }
 County of Pottawatomie } SS:

This is to certify that the undersigned are the owners of the land hereon described on this plat, and that they have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and do hereby acknowledge and adopt the same under the style and title indicated.

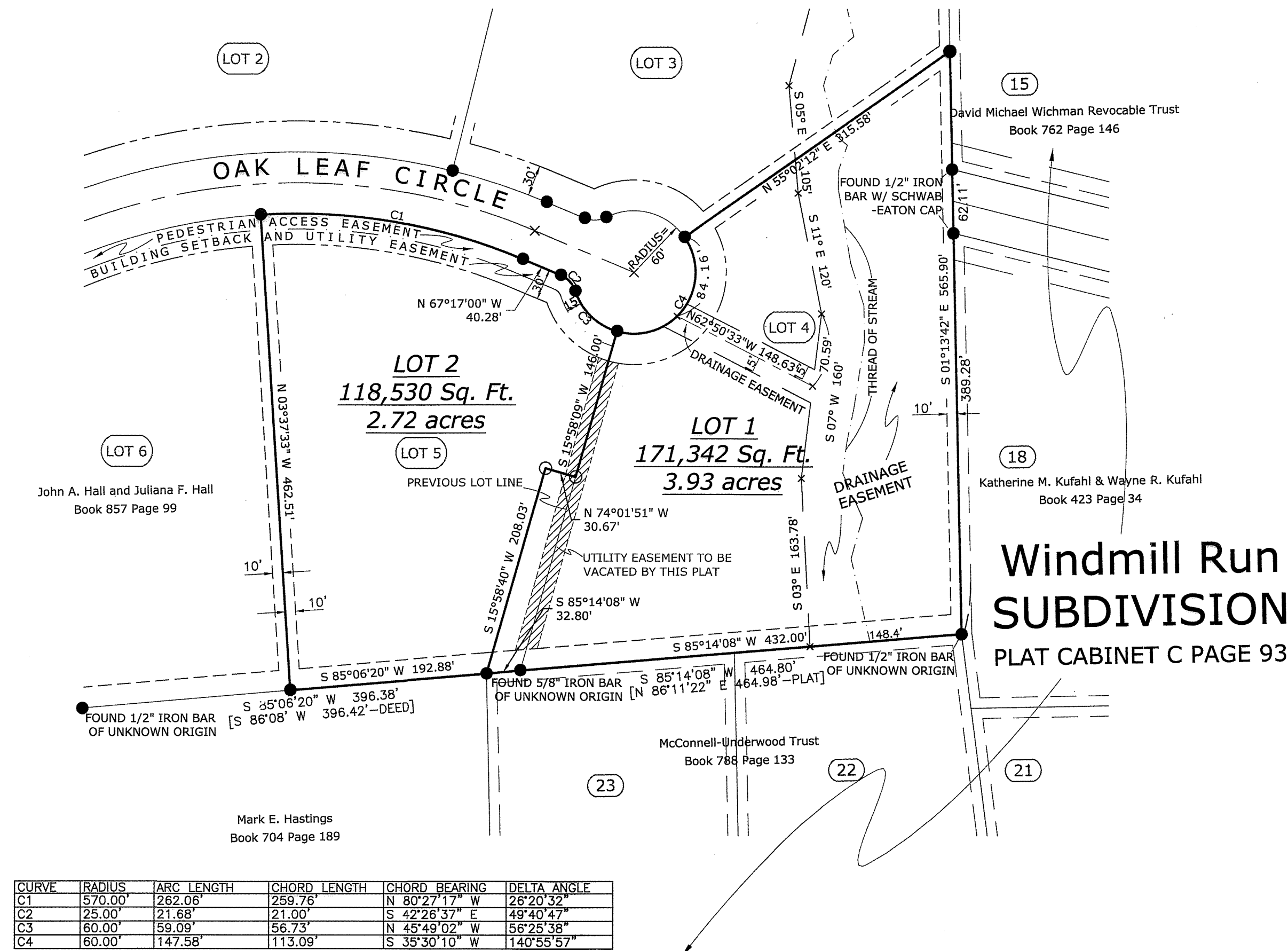
All street right-of-way as shown on this plat are hereby dedicated to the public. An easement or license to the public to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat is hereby granted.

Given under my hand at Westmoreland, Kansas this 18th day of August, 2021 A.D.

Douglas A. Kern } Jeffrey Hake
 Douglas A. Kern Jeffrey Hake

Susan L. Kelpke } Tara Raney Hake
 Susan L. Kelpke Tara Raney Hake

Nancy J. Kelpke
 Nancy J. Kelpke



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	570.00'	262.06'	259.76'	N 80°27'17" W	28°20'32"
C2	25.00'	21.68'	21.00'	S 42°26'37" E	48°40'47"
C3	60.00'	59.09'	56.73'	N 25°49'02" W	56°28'36"
C4	60.00'	117.58'	113.09'	S 35°30'10" W	140°55'57"

DESCRIPTION:

LOTS 4 AND 5 OF THE FINAL PLAT OF OAK POINTE ESTATES, POTTAWATOMIE COUNTY, KANSAS.

FLOODPLAIN INFORMATION

The platted area is shown to be in Flood Zone "X", area of minimal flood hazard, according to the effective Flood Insurance Rate Map (FIRM) for the area. Community Number 200621, Panel Number 20149C0485F, effective date March 16, 2015.

NOTARY CERTIFICATE

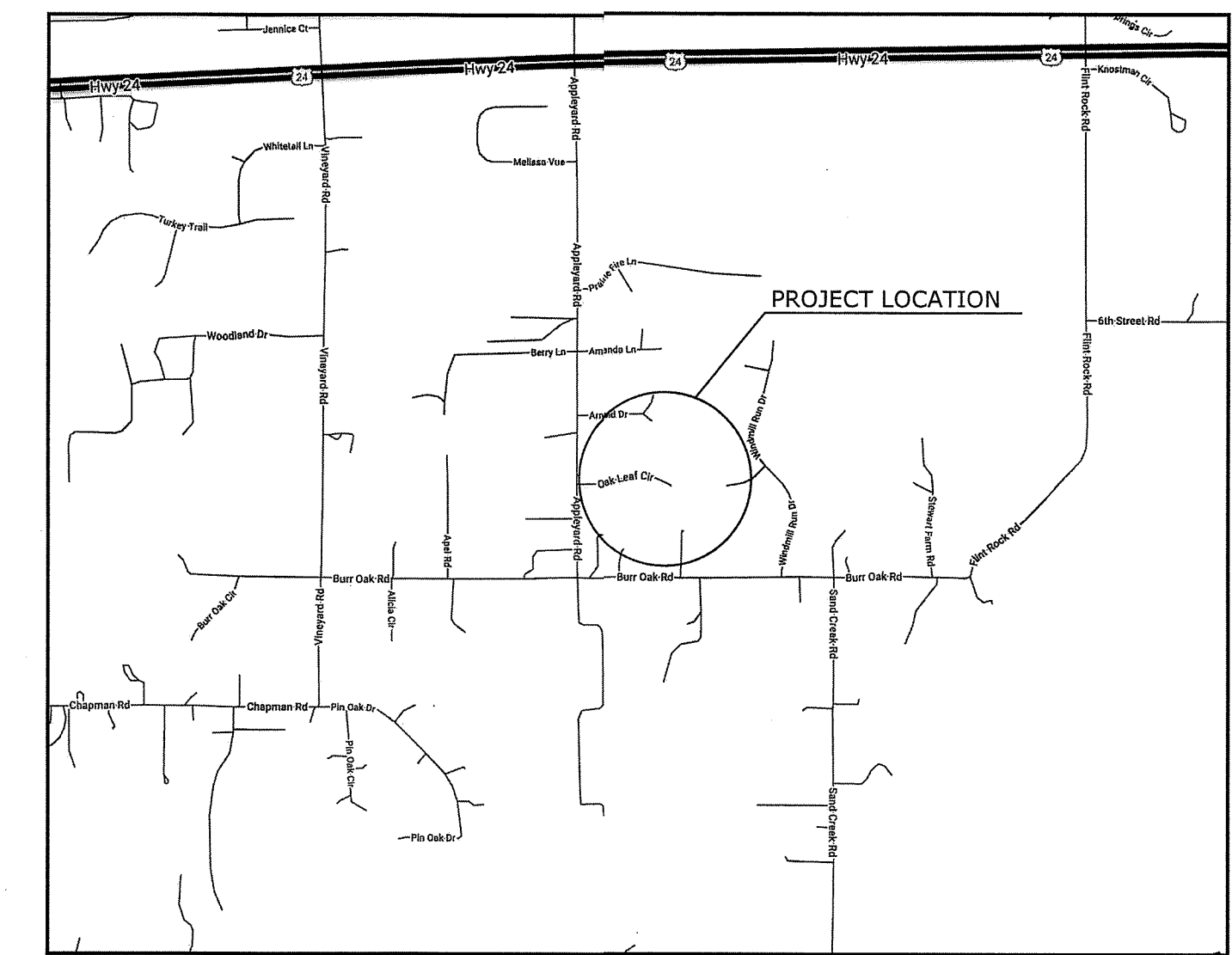
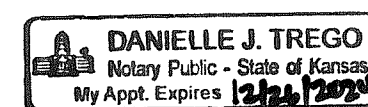
State of Kansas }
 County of Pottawatomie } SS:

BE IT REMEMBERED, That on this 18th day of August, A.D. 2021, Before me, the undersigned, a notary public in and for the County and State aforesaid do hereby certify that Douglas A. Kern, Susan L. Kelpke, Nancy J. Kelpke, Jeffrey Hake and Tara Raney Hake who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledge the execution and delivery of this plat as a free and voluntary act for the uses and purposes set forth herein.

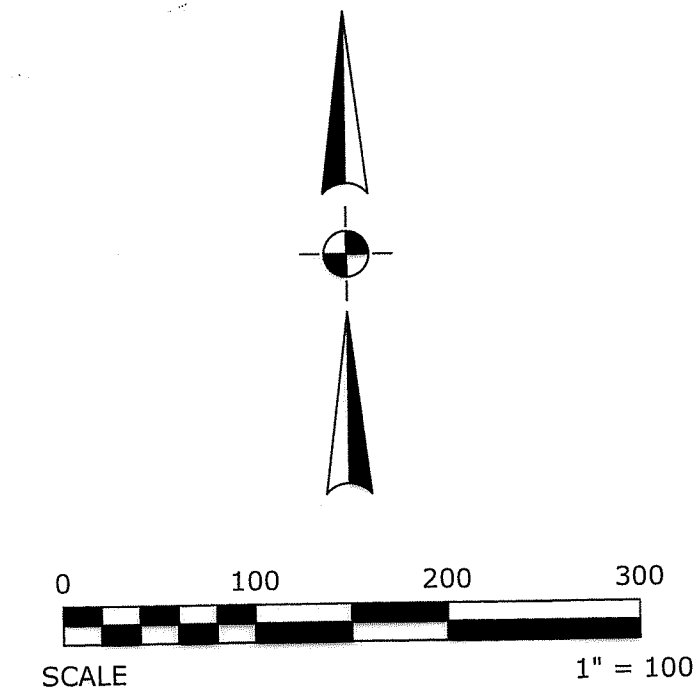
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my official seal the day and year last above mentioned.

12/26/2024
 Term expires

Danielle J. Trego
 Notary Public
Danielle J. Trego
 Print Name



VICINITY MAP (NOT TO SCALE)



LEGEND

- ▲ ● FOUND MONUMENT (AS INDICATED)
- SET 3/4" IRON BAR WITH PLASTIC CAP STAMPED 'FORCE LS-811'
- BUILDING SETBACK LINE/UTILITY EASEMENT
- UTILITY EASEMENT
- DRAINAGE EASEMENT
- CENTERLINE
- PEDESTRIAN ACCESS EASEMENT

GENERAL NOTES

- 1) THE BASIS OF BEARINGS FOR THIS SURVEY IS FROM THE ORIGINAL FINAL PLAT OF OAK POINTE ESTATES.
- 2) ALL MEASUREMENTS (BEARINGS AND DISTANCES) ARE MEASURED UNLESS OTHERWISE NOTED.
- 3) THIS PROPERTY IS ZONED AR - AGRICULTURE/RESIDENTIAL.
- 4) EACH LOT WILL BE SERVED BY AN INDIVIDUAL SEPTIC SYSTEM AS APPROVED BY THE POTTAWATOMIE COUNTY SANITARIAN. WATER SERVICE WILL BE PROVIDED BY POTTAWATOMIE COUNTY RURAL WATER DISTRICT #1.
- 5) THE ORIGIN OF ALL FOUND MONUMENTS ARE FROM THE FINAL PLAT OF OAK POINTE ESTATES UNLESS NOTED OTHERWISE.

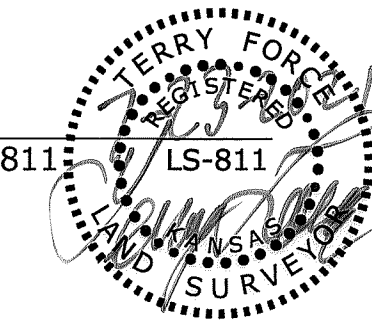
CERTIFICATION:

State of Kansas }
 County of Pottawatomie } SS:

I the undersigned do hereby certify that I am a registered Land Surveyor in the State of Kansas with the experience and proficiency in land surveying; that the heretofore described property was surveyed and subdivided by me or under my supervision, that all subdivision regulations of Pottawatomie County, Kansas, have been complied with in the preparation of this plat; and that all monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Westmoreland, Kansas this 23rd day of July, 2021, A.D.

Terry Force, R.L.S. 811



THIS SPACE RESERVED FOR THE REGISTER OF DEEDS' FILING INFORMATION

FINAL PLAT
 of
OAK POINTE ESTATES UNIT 2
 A REPLAT OF Lots 4 and 5
 of THE FINAL PLAT of
 OAK POINTE ESTATES
 POTTAWATOMIE COUNTY, KANSAS

PREPARED BY
TERRY FORCE, RLS
 342 MAIN STREET
 WHEATON, KANSAS 66221
 Phone: 785-396-4480
 Email: tforce@bluevalley.net

JULY 2021
 PROJECT NUMBER 99353

Memorandum

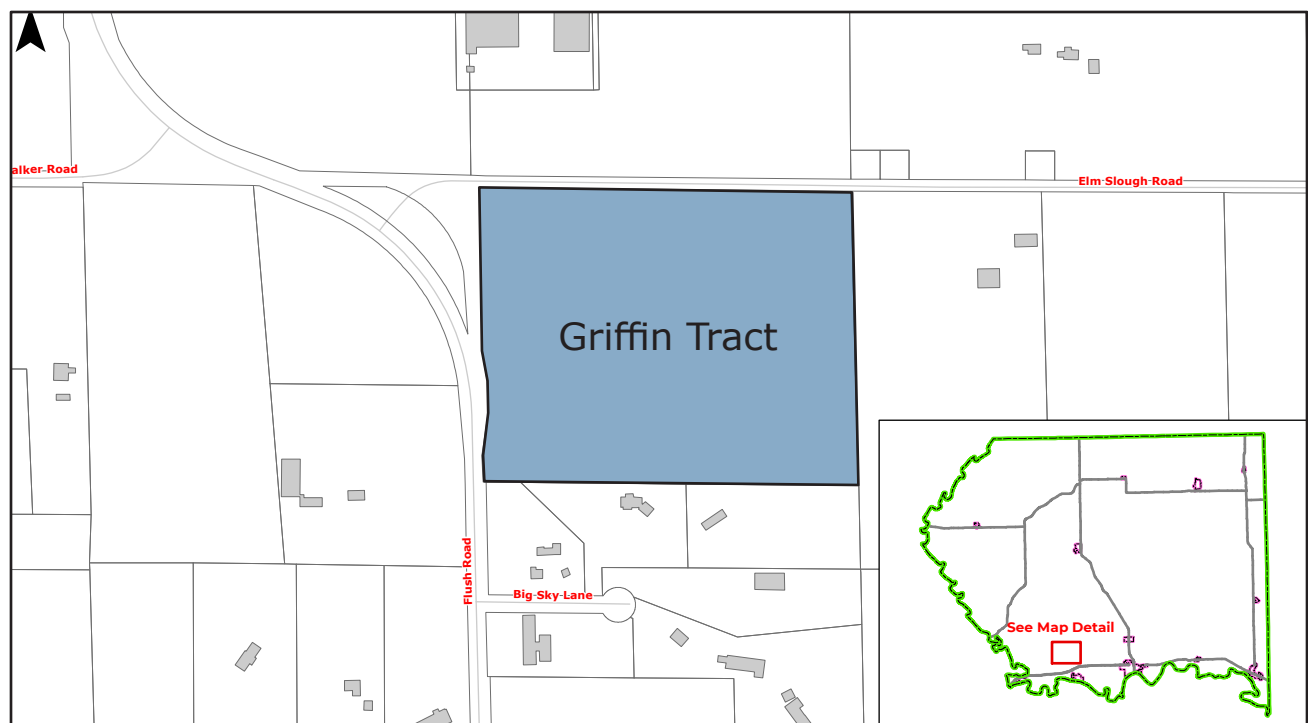
To: Board of County Commissioners
From: Planning and Zoning Staff
Subject: Elm Slough Rd Improvements
Date: September 20, 2021

Board of County Commissioners

On August 2, 2021 AJ Griffin (Developer), along with SMH Consultants, presented to you a proposal for improvements to Elm Slough Rd ahead of a proposed residential development.

Developer is required to pave Elm Slough Rd to the minimum County standard in order to develop beyond two houses in each quarter-quarter section. The tract has been rezoned to AR – Ag-Residential, but before Planning Commission can take action on a plat, Developer and the Board of County Commissioners must come to an agreement on Elm Slough Rd.

At the August meeting, there was a discussion about the cost-sharing, the full extent of the project, and right-of-way acquisition. County Commission directed Staff to work the Developer to determine the estimated costs of the project as well as a possible cost-share with the Developer.



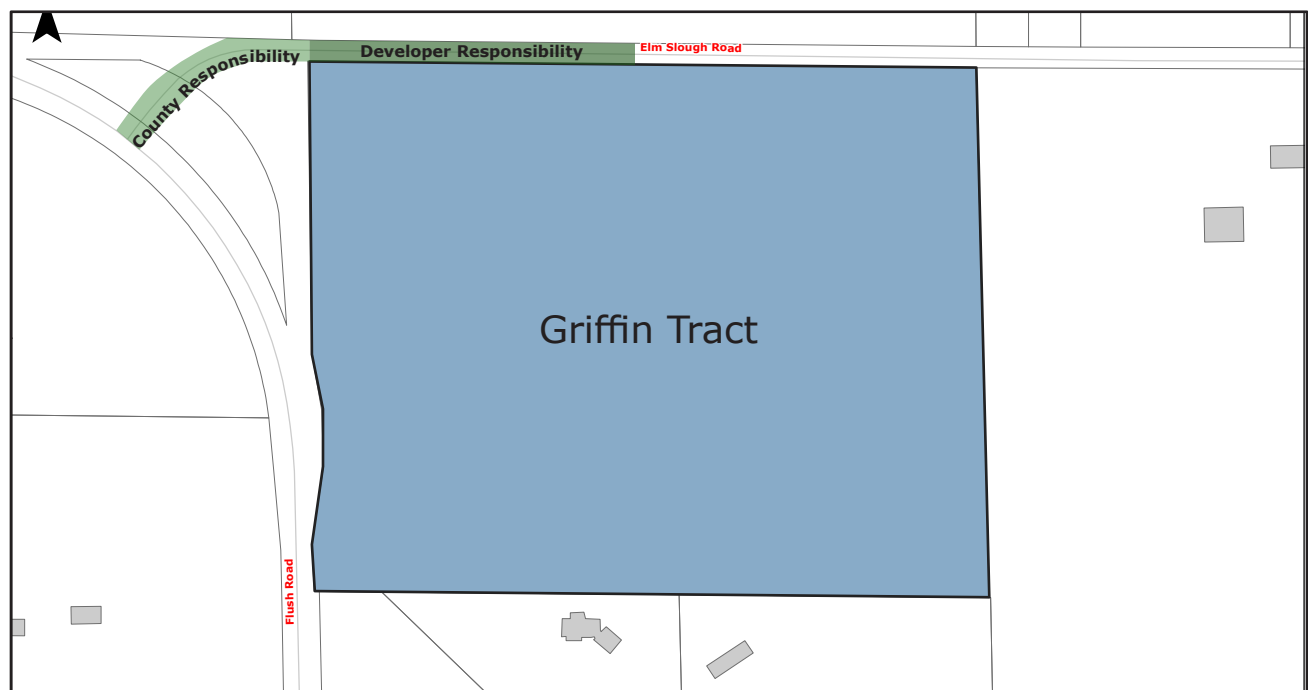
Project Extent and Cost Estimate

Attached is the information regarding the extent of the project, total costs, and an estimated breakdown of the responsible party regarding each of those costs.

In short, the total project cost is estimated to be **\$242,500**. The project would include approximately 1050 feet of roadway, of which 750 feet is currently gravel, and must be paved in order to develop. The cost estimate for that 750 feet is approximately **\$189,500**.

The Developer is ultimately responsible for the cost of bringing the unpaved 750 feet of Elm Slough Rd up to the minimum County standard. However, because the County has identified Elm Slough Rd as a priority for improvement, the County may wish to enter into a cost-sharing agreement that ultimately makes the project less expensive for each party.

The most recent cost-sharing agreement between the County and a developer required the County to prepare the road for an asphalt overlay, and the developer paid for the asphalt itself. Prior to that, the County entered into an agreement with two developers, whereby each developer contributed a fixed amount, and the County paid for the remainder of the project cost in excess of that fixed amount.



Right-of-Way Acquisition

Currently, the right-of-way width at this location is 40 feet. Generally, the County tries to obtain at least 80 feet for major roadways such as Elm Slough Rd. As part of the County's development regulations, we are able to require that the



Developer contribute their half of the 80 feet as part of their development (see diagram below).



As of this meeting, the County has not secured any agreement with the property owner to the north for the remaining 20 feet. However, the Developer has indicated that they are open to donating the remaining right-of-way if the value of that ground is subtracted from their total contribution to the project.



There are pros and cons to obtaining all 40 additional feet from the Developer. First and foremost, by obtaining all of the right-of-way now, the County avoids any protracted negotiations for right-of-way with hesitant or unwilling landowners. While the right-of-way would be off-set from Elm Slough Rd east of this tract, the presence of Rural Water District wells very close to the existing roadway means that future improvements may not be feasible without this adjustment, but moving the road to the south would likely result in relocating the existing Rural Water line. The additional 20 feet may not be needed for this project to be successful. However, obtaining the full right-of-way allows this project to move forward with plenty of room.

Utilities

Currently, there are both Evergy and Bluestem poles within the existing right-of-way that would need to be moved as part of this project. Additionally, WTC and Rural Water both utilize this right-of-way for their infrastructure.

Most of the utilities are responsible for any relocation in the right-of-way. However, an existing Rural Water line may require the County to relocate that



line at our cost.

Depending on where the road is located, the line may not need to be relocated. The final determination of the road location would be determined once the project is fully designed.

County Regulations

Below are the relevant sections of the County's development regulations:

4.5.2. All subdivision entrances must be located on a continuously paved County road at the final plat is approved

4.5.3. For any proposed developments not located on a continuously paved County road, Applicant and the Board of County Commissioners shall enter into an agreement for the paving of the road(s) prior to the submission of a preliminary plat

4.5.6. Applicant shall dedicate right-of-way land for adjacent county roads in an amount equal to one-half of the total adjacent right-of-way necessary to make the total right-of-way 80 feet, unless otherwise indicated by the County Engineer

All three regulations are located in Article 4 Section 5: Required Infrastructure and Dedications.

Conclusion

The County's development regulations require the Developer to be located on a continuously paved road. As a result of that requirement, the Developer has two options: have their development enter directly onto Flush Rd, or pave Elm Slough Rd to their entrance. Entering onto Flush Rd has not been seriously considered by either Staff or the Developer for the obvious safety reasons.

The Developer's portion of the project is limited to the minimum County paved road standard, and he is request sharing a portion of that cost with the County. The extent of that cost-share, if any, is at the discretion of the Board of County Commissioners.

Staff, the Developer, and SMH Consultants will be available to answer any questions regarding this project.

Stephan A Metzger
County Planner



Engineer's Opinion of Construction Costs

Bid Date:

Project No.:

CDBG No.:

Estimate Date: August 2, 2021



Project: ELM SLOUGH ROAD - TOTAL PROJECT COSTS for 1,050' ROADWAY LENGTH

Item No.	Description	Quantity	Unit	Engineer's Estimate	
				Unit Price	Extension
ROAD QUANTITIES					
1	MOBILIZATION	1	LSUM	\$ 25,000.00	\$ 25,000.00
2	EARTHWORK GRADING	500	C.Y.	\$ 20.00	\$ 10,000.00
3	AGGREGATE BASE (6") (1050' x 26')	1,050	TON	\$ 20.00	\$ 21,000.00
4	HMA OVERLAY-COMMERCIAL GRADE (CLASS A) (8.5") (1050' x 24')	1,400	TON	\$ 100.00	\$ 140,000.00
5	AGGREGATE SHOULDERS (8.5") (1050' x 4' x 2)	500	TON	\$ 20.00	\$ 10,000.00
6	TEMPORARY EROSION CONTROL/SEEDING	1	LSUM	\$ 5,000.00	\$ 5,000.00
7	PERMANENT SEEDING	1	LSUM	\$ 5,000.00	\$ 5,000.00
CONSTRUCTION COSTS TOTAL				\$	216,000.00
	RELOCATE RWD #1 WATER MAIN				\$ -
	RELOCATE WTC LINE				\$ -
	RELOCATE EVERGY & BLUE STEM ELECTRIC LINES				\$ -
	TOPOGRAPHICAL SURVEYING (SMH)				\$ 1,500.00
	ROADWAY DESIGN ENGINEERING (COUNTY)				\$ 25,000.00
	CONSTRUCTION ENGINEERING (COUNTY)				\$ -
TOTAL PROJECT COSTS				\$	242,500.00



Engineer's Opinion of Construction Costs

Bid Date:

Project No.:

CDBG No.:

Estimate Date: August 2, 2021



Project: ELM SLOUGH ROAD - PROJECT COSTS FOR 750' of DEVELOPER'S PORTION of the COSTS

Item No.	Description	Quantity	Unit	Engineer's Estimate	
				Unit Price	Extension
ROAD QUANTITIES					
1	MOBILIZATION	1	LSUM	\$ 25,000.00	\$ 25,000.00
2	EARTHWORK GRADING (1,000' Long Ditches)	500	C.Y.	\$ 20.00	\$ 10,000.00
3	AGGREGATE BASE (6") (750' x 26')	750	TON	\$ 20.00	\$ 15,000.00
4	HMA OVERLAY-COMMERCIAL GRADE (CLASS A) (8.5") *(750' x 24')	1,000	TON	\$ 100.00	\$ 100,000.00
5	AGGREGATE SHOULDERS (8.5") (750' x 1.5' x 2)	150	TON	\$ 20.00	\$ 3,000.00
6	TEMPORARY EROSION CONTROL/SEEDING	1	LSUM	\$ 5,000.00	\$ 5,000.00
7	PERMANENT SEEDING	1	LSUM	\$ 5,000.00	\$ 5,000.00
CONSTRUCTION COSTS TOTAL				\$	163,000.00
	RELOCATE RWD #1 WATER MAIN			\$	-
	RELOCATE WTC LINE			\$	-
	RELOCATE EVERGY & BLUE STEM ELECTRIC LINES			\$	-
	TOPOGRAPHICAL SURVEYING (SMH)			\$	1,500.00
	ROADWAY DESIGN ENGINEERING (COUNTY)			\$	25,000.00
	CONSTRUCTION ENGINEERING (COUNTY)			\$	-
TOTAL PROJECT COSTS				\$	189,500.00



Memorandum

To: Board of County Commissioners
From: Planning and Zoning Staff
Subject: Unified Development Regulations Update
Date: August 30, 2021

Board of County Commissioners,

Summary

Included in the packet for the August 30 meeting is a summary of the changes to Articles 1-5, the full revised [Articles 1-5 \(plus definitions\)](#), and a side-by-side comparison of the changes between the current UDR and the proposed changes.

Staff presented these changes to Planning Commission at the June meeting and the commission recommended approval of these changes at the August Planning Commission meeting.

It is important to stress that the regulations within the UDR guide the public, Engineers, Staff, Planning Commission and County Commission in land use decisions throughout the County. The UDR covers everything from whether or not livestock are permitted, the minimum size of building before a permit is required, to land development.

Along with the Comprehensive Plan, the UDR is one of two primary tools for land use regulations in the County. In short, it provides a consistent, standardized process for land use regulations for all parties.

If there are changes in zoning or land development that the Commission would like Staff to pursue this is the opportunity for the Commission to provide that guidance.

There are a couple of items that are not included in these changes. The first is Solar Farms as they are a continued work in progress. The second is wind farms. They are a conditional use in A1 currently, but that will almost certainly change as the topic is discussed with Planning Commission.

By and large, the changes that have been made to Articles 1-5 can be split into three categories: typographical changes, organizational changes, and substantive changes. Staff is providing in this memo the specific organization and substantive changes that have been made, but not the numerous typographical errors that have been corrected. Any substantive changes have been done with the goal of making it easier for the public to utilize their land as they wish rather than more difficult.



In addition to the changes to the UDR, Staff has made it a point in the new version to make it easier to use, in particular for members of the public. This is being accomplished through links to definitions, graphics, examples, and other useful tools for public consumption. These tools have not been fully implemented, but there are numerous examples throughout Articles 1-5 for the Commissioners to try out.

Staff will be available to answer any questions, and due to the size and scope of the document, we are not asking for any action on August 30.

Stephan A Metzger
County Planner



Article 2.3

Application of these Regulations was changed to significantly limit the amount of uses that are entirely exempt from County regulations. The uses remaining are: Agricultural uses, Railroads, and signs for local, state, and federal governments.

Current

- A. Exemptions
1. The following are exempt from the restrictions and regulations (except for floodplain regulations) imposed by these resolutions:
 - a. All buildings, land, structures and accessory uses having an agricultural purpose.
 - b. All structures, land, and uses of the State of Kansas, the Federal Government, Pottawatomie County, its agencies and townships.
 - c. All buildings, land, structures and uses of any "Railroad" in conjunction with their corporate purpose.

Article 2

- d. Public water service districts.
- e. Official signs of local, county, state and federal governments and certain signs internal to a site as specified in Article 11.
- f. Residential solar collectors, satellite receiving dish and antennae.
- g. Storage buildings 120 square feet or less in area; handicapped accessibility ramps.
- h. Patios, poles, flags and flag poles; wires & cables.
- i. Fences, driveways, playhouses, and play equipment.
- j. Internal renovation that does not result in an overall increase in square feet of the principal structure.

Proposed

2.3. Application of these Regulations

- 2.3.1. The following are exempt from restrictions and regulations (except for floodplain regulations) imposed by these regulations:
 - a. All buildings, land, structures, and accessory uses having an agricultural purpose
 - b. All buildings, land, structures, and uses of any railroad in conjunction with their corporate purpose.
 - c. Official signs of the local, county, state, and federal governments, and certain signs internal to a site as specified in Article 11.



Article 2.4

Duties of Staff was consolidated to reflect the changes in Staff roles since the development of this chapter. Rather than divide the duties between a Zoning Administrator and County Planner, all duties can be performed by members of Staff.

Current

- A. The Zoning staff and deputies and/or Enforcement Officer and County Planner shall be appointed by the Board of County Commissioners. The duties of the zoning staff and Enforcement Officer shall be, but are not limited to:
1. Zoning Staff and Deputies
 - a. Issue all certificates and permits
 - b. Supervise all floodplain development permits & certificates
 - c. Administer and interpret the zoning resolutions
 - d. Administer and process all zoning amendments
 - e. Administer and process all variances, conditional or special uses
 - f. Administer all official road names and addresses
 - g. Collect all fees and assess all late charges
 - h. Accept and process all plats, surveys and site plans
 - i. Duties and assignments as delegated by the Board of County Commissioners from time to time or as further specified by the official job description of the Zoning Staff as amended from time to time.
 2. Enforcement Officer and Deputies
 - a. Conduct all inspections
 - b. Investigate and process all complaints and violations
 - c. Issue "stop work" orders
 - d. Other duties as delegated and specified by the Zoning Staff
 3. County Planner
 - a. Prepare all staff reports
 - b. Prepare all amendments to county plans and policies
 - c. Prepare changes, additions and amendments to these Unified Development Resolutions

Article 2

- d. Assist the Zoning Staff with the processing of zoning amendments and plats
- e. Performs duties and studies as assigned from time to time by the Board of County Commissioners

Proposed

2.4. Duties of the Staff

- 2.4.1. The Zoning Administrator and County Planner shall be appointed by the Board of County Commissioners.
- 2.4.2. Duties of Staff
 - a. Issue all certificates and permits
 - b. Supervise all floodplain development permits and certificates
 - c. Administer and interpret the zoning resolutions
 - d. Administer and process all zoning amendments
 - e. Administer and process all variances, conditional or special uses
 - f. Administer all official road names and addresses
 - g. Collect all fees and assess all late charges
 - h. Accept and process all plats, surveys, and site plans
 - i. Conduct all inspections
 - j. Investigate and process all complaints and violations
 - k. Issue "stop work" orders
 - l. Prepare all staff reports
 - m. Prepare all amendments to County plans and policies
 - n. Duties and assignments as delegated by the Board of County Commissioners from time to time or as further specified by the official job description of the Zoning Staff as amended from time to time.



Article 2.9

Accessory Buildings were amended to allow for accessory buildings larger than the principal structure and the prohibition on accessory buildings in front yards was removed. This is to reflect the fact that there are numerous examples of both throughout the County

Current

108. Accessory Buildings, Structures and Uses – Generally

- A. An accessory use, accessory building or structure is one customarily used in conjunction with the principal use of the lot, tract, or operation. Customary means a building or use that is normally associated with and supports the principal use. An accessory use is subordinate in size and function to the principal use.

Article 2

- B. An accessory building or use, other than a deck or carport, shall not be established in a front yard unless otherwise permitted by these resolutions.
- C. Residential accessory uses do not include storage containers, shipping containers, truck bed or truck trailers, or any other use or structure not originally intended for storage or customarily associated with a residence.
- D. Accessory uses include solar panel collectors; "mini" wind generation machines, satellite receiving, personal 2-way radio antennae, car or RV ports, accessory dwelling units, and permitted structures used as home occupations.

Proposed

2.9. Accessory Buildings, Structures, and Uses - Generally

- 2.9.1. An accessory use, accessory building or structure is one customarily used in conjunction with the principal use of the lot, tract, or operation. Customary means a building or use that is normally associated with and supports the principal use.
- 2.9.2. Residential accessory uses do not include storage containers, shipping containers, truck beds or trailers, or any other use or structure not originally intended for storage or customarily associated with a residence.
- 2.9.3. Accessory uses include solar panel collectors, mini wind generation machines, satellite receiving dishes, personal two-way radio antennae, car or RV ports, accessory dwelling units, and permitted structures used as home occupations



Article 3.1.2

Removed the one year waiting period for Planning Commissioners following their second consecutive term. The proposed change allows Planning Commissioners to serve a second term automatically. Following the completion of the second term, a Planning Commissioner can be re-appointed by County Commission for additional terms thereafter, but after the conclusion of each term beyond the second, the Planning Commissioner must be re-appointed.

Over the past 20 years, relatively few commissioners have served beyond their first two terms, and of those that did, only one has served more than one additional term beyond that.

This change would allow for continuity on the Planning Commission by allowing individuals to serve longer if they choose, but based on past experience won't create a situation where there is little to no turnover. Of the 20 former Planning Commissioners appointed since 2000, almost half did not serve out their full six years on the Planning Commission.

Current

B. Terms of Member

1. Planning Commissioners may be appointed for terms of one, two or three years, and each may serve for two (2) consecutive full terms. Commissioners may be appointed again following a one year waiting period after two regular terms of service.
2. Planning Commissioners shall be at least 18 years of age.
3. Planning Commissioners may be removed for cause including, but not limited to, failure to attend meetings, abuse of office, serious conflict of interest and abusive conduct, by a vote of the Governing body. Any Planning Commissioner removed from office shall have the right to file an appeal, within 14 days of removal, for a full hearing of the matter before the Governing body.
4. Appointments to fill vacancies of unexpired terms shall be made by the Governing body.

Proposed

3.1.2. Membership

- a. Planning Commissioners may be appointed for terms of one, two, or three years, and each may serve for two (2) consecutive full terms without re-appointment from the County Commission. Following their second term, a Planning Commissioner may continue to serve, but the County Commission must re-appoint the Planning Commissioner at the conclusion of each subsequent term.
- b. Planning Commissioners shall be at least 18 years of age
- c. Planning Commissioners may be removed for cause including, but not limited to:
 1. Failure to attend meetings
 2. Abuse of office
 3. Serious conflict of interest
 4. Abusive conduct
- e. Removal requires a majority vote of the Board of County Commissioners. Any Planning Commissioner removed from office shall have the right to file an appeal, within 14 days of removal, for a full hearing of the matter before the Board of County Commissioners.
- f. Appointments to fill vacancies of unexpired terms shall be made by the Board of County Commissioners.



Article 3.1.4

Article clarifies that the Chair can allow remote or semi-remote meetings when required.

Current

2. All meetings (other than special meetings) of the Planning Commission shall be held according to the official Yearly Planning Commission Hearing Calendar at a location designated by the Chairperson of the Planning Commission. When there is no official agenda, a meeting may be canceled at the discretion of the Chairperson. The Chairperson, or the Vice Chairperson in his/her absence, shall have the power to call any special meetings, or to change a meeting time or place. Meetings shall generally be conducted in accord with *Roberts Rules of Order*.

Proposed

- b. All meetings (other than special meetings) of the Planning Commission shall be held according to the official Yearly Planning Commission Hearing Calendar at a location designated by the Chairperson of the Planning Commission. When there is no official agenda, a meeting may be canceled at the discretion of the Chairperson. The Chairperson, or the Vice Chairperson in the Chairperson's absence, shall have the power to call any special meetings, to change a meeting time or place, or conduct remote or partially remote meetings. Meetings shall generally be conducted in accordance with *Roberts Rules of Order*.



Article 3.2

Conditional Uses was changed to require a modified version of the Golden factors as a standard of review by Planning Commission rather than previous standards. Bed and Breakfast was also removed from this section and added to the conditional uses in A1. The other uses that have bed and breakfasts as a conditional use will link back to the requirements in A1.

Current

C. Required Findings

1. A conditional use is not a matter of right. The responsibility and the burden of proof for meeting the stated conditions, and those imposed by the Planning Commission, rests with the applicant. The Planning Commission, in addition to assuring that all stated conditions are fulfilled, must also find for the record that the proposed conditional use will not:
 - a. Significantly reduce nearby property values
 - b. Unreasonably disturb neighbors in the enjoyment of their property rights
 - c. Adversely affect the future development of the surrounding area
 - d. Constitutes a traffic hazard because of a significant increase of traffic in the nearby area.

Proposed

3.2.3. Required Findings

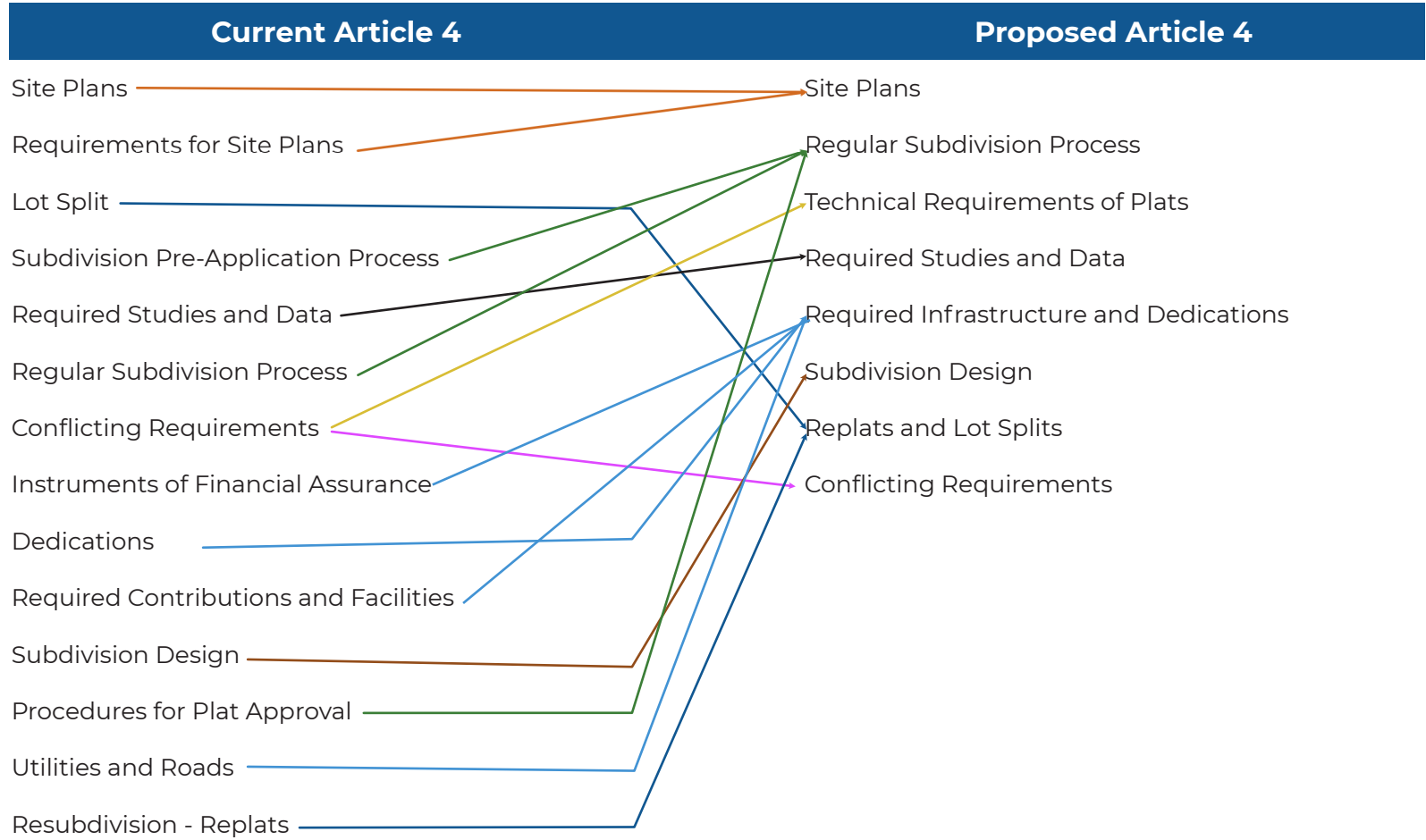
- a. A conditional use is not a matter of right. The responsibility and the burden of proof for meeting the stated conditions, and those imposed by the Planning Commission, rests with the applicant. The Planning Commission, in addition to assuring that all stated conditions are fulfilled, must also make the following findings:
 1. Character of the neighborhood
 2. Zoning and uses of nearby property
 3. The extent to which the proposed conditional uses would detrimentally affect nearby property
 4. Conformance with the Comprehensive Plan
- b. Planning Commission may require any of the studies and findings required in Article 4.4 of these regulations.



Article 4

The organization of Article 4 has been changed significantly. This reorganization will help Planning Commission, Staff, Developers, and others to navigate these regulations and more easily find what they're looking for. Below is a chart showing the changes to the organization:

As is evident from the chart there were numerous instances where various requirements were repeated, conflicted with one another, or difficult to find. For example, infrastructure requirements were located in at least four different locations throughout Article 4. Consolidating these requirements down to one section will make this document much more useful.





Article 4.2.3

Reorganized the pre-application process to better reflect how the process works in reality., Modifying the drainage study requirements to add specific thresholds for when a full-blown study is required, modifications to the technical plat requirements, and changes to the site plan requirements to reflect the adoption of building codes in the Blue Township Sewer District.

Current

A. Sketch Plan

1. The purpose of the sketch plan is to afford an applicant the opportunity to confer early and informally with the Planning Commission. If warranted, the sketch plan may be waived by the Director of Planning, and the applicant may proceed to the preliminary platting process.
2. A sketch plan must be submitted at least 20 working days prior to a conference with county staff. The Zoning Administrator and the Director of Planning must sign all sketch plans, indicating the dates of submission & review.

Article 4

3. DOCUMENTS: The sketch plan is an informal, scaled drawing and may be submitted at 1 inch equal 100 feet on normal quality paper no smaller than 24 X 36 inches (or other scale approved by the Director of Planning). No fee is required for the sketch plan.
4. The sketch plan and four (4) copies with proof of ownership must contain, at a minimum, the following information:
 - a. Name, address and phone of applicant and the name of the subdivision;
 - b. Name and legal description of the tract and a general location map insert;
 - c. Proposed boundaries, north point, and significant natural and manmade features on the site – including streams, ponds, lakes and concentrated vegetation;
 - d. Existing topographic information as directed by staff
 - e. General drainage directions and soil types (generalized boundaries) from the Soil Conservation Service;
 - f. Roads adjacent to tract
 - g. Proposed general street and lot layout with estimates of lot sizes, proffers for common areas, recreation & open space;
 - h. Type of sewerage system proposed and name of public water service district;
 - i. Legend, date of preparation
 - j. Flood plain and watershed dam breach hazard
5. If the proposed subdivision will utilize lateral fields or lagoons, the County Sanitarian must be supplied with adequate physical data necessary to evaluate the type, size and overall suitability of the project. Typical information that must accompany the sketch plat for sanitary purposes would include: a soils analysis or a profile analysis, percolation tests and direction of drainage, and other information deemed necessary by the sanitarian.
6. Within 21 days from the date of submission, the staff will inform the applicant in writing of the sketch plan's sufficiency, and likewise any deficiencies, and schedule a second development conference.
7. After the sketch plan development conference, but within 30 days (unless the applicant requests an extension in writing) the staff shall issue a formal report to the applicant as to which items and details need to be changed, corrected or further detailed during the preparation of the preliminary plat.

Proposed

- 4.2.3. When deemed necessary by the County Planner and Zoning Administrator, a pre-application conference is required prior to the preparation of a plat. The conference affords an applicant the opportunity to meet with the planning staff and receive assistance and exchange information before formal work commences on the project. The conference consists of the following steps:
 - a. Contact the County Planning and Development Office
 - b. With staff assistance, determine the current zoning designation and intended use of the property to be subdivided. If the land is not zoned for the intended use, review the Comprehensive Plan and read the contents of the plan with regard to future intentions. Amendments to both the Comprehensive Plan and zoning map may be required, and waiting period of from 60 to 120 days may be necessary to process the required amendments.
 - c. The applicant shall meet with County Administration to review necessary financial assurances.
 - d. Staff will review pertinent requirements for platting, including roads, easements, physical arrangement and density, and general regulations for public water and sewer connections. When necessary, the County Engineer will give specific instructions for the initial design of facilities.
 - e. With the Applicant, Staff and the County Sanitarian will review all Sanitary Regulations and Flood Insurance Rate Maps that are currently adopted in Pottawatomie County
 - f. Contact a licensed land surveyor and registered professional engineer or landscape architect to being the initial phase of subdivision. Please note that only a Kansas Licensed Land Survey may conduct the actual certificate of survey or plat/condominium
- 4.2.4. Following the pre-application conference, Applicant shall submit a Concept Plan to Staff for review. Applicant must submit either three (3) hard copies on 24 inches by 36 inches paper or one (1) electronic copy of the same size
- 4.2.5. After Staff has reviewed and Applicant has satisfactorily corrected any deficiencies in the concept plan, Applicant may formally submit a preliminary plat for review. Applicant must submit five (5) hard copies or one (1) electronic copy of a preliminary plat to the County Planner. The plat should be on regular quality paper either 18 inches by 24 inches or 24 inches by 36 inches

Article 5 Changes



- Limited to 800 square feet
- One additional employee
- Open to the public on a very limited scale
- Can be done in zones where residential is allowed



- Limited to 10,000 square feet
- Noise, odor, vibrations must not be above ambient levels
- Open to the public
- Can be done in commercial zoning districts, including Ag-Business



- No limits on scale, noise, odor, vibrations, etc
- Permitted only in manufacturing zones

The microenterprise and artisan manufacturing uses combine several different existing uses into two, easy to understand categories.

The microenterprise expands an existing use that included woodworking, crafts, upholstery, etc and combines it with the home occupation (salons, real estate, etc). It also creates a uniform definition for both.

The artisan manufacturing creates a middle space between a home-based business and a major manufacturing operation. This would allow things like microbreweries, wineries, cabinet shops, food processing, etc to be in commercial zones rather than exclusive manufacturing zones.

These two changes would limit the uses in manufacturing zones to large-scale operations that create noise, sound, vibrations, and other nuisances.



Article 5 Changes

Conditional Uses in A1

Conditional uses have changed in the A1 zoning district. Since most of the County is zoned A1, there are 22 different conditional uses that range from cell towers and quarries to storage units and kennels.

As the uses have been added and subtracted over the years, there were multiple duplicate, conflicting, and outdated regulations.

For example, due to changes in state law, requirements for new communication towers were significantly curtailed.

Solar farms have not been added, however, as those changes may or may not be added if and when Planning Commission and County Commission approve regulations.

Appearance and Design Requirements

These were removed from the A1 zoning district as they were rarely enforced, and they were originally designed for commercial uses within primarily commercial zoning districts.

A2 Zoning District

The A2 district is a mixed use district exclusively for the unincorporated communities of Blaine, Fostoria, Duluth, LaClede, and St. Clare.

There were only two small changes that moved daycare and accessory dwelling units from conditional uses to permitted uses.

PURD District

The PURD is a planned district that allows applicants to mix uses allowed within the various Article 5 districts. The PURD is mostly used when someone wishes to combine an Ag-Business use with an existing residential use. The PURD allows applicants to approve the zoning change and preliminary plat at the same hearing.

The PURD was essentially scrapped and redone to reflect changes in the platting process and to align the PURD with other planned districts in the UDR.

AR District

The Ag-Residential district does not have any substantive or

organizational changes. However, within the new UDR a chart is located in the margin that provides the public and Staff with a guide for the minimum acreage required for various livestock.

The district currently allows a "small number" of large livestock on five acres or more. However, it can be difficult at times to define "small". Planning Commission did not feel it was worthwhile to put a hard limit on the allowable livestock, but suggested adding the below chart as a guide.

Animal	Required Acreage
Horse	2
Cow	2
Sheep	0.5
Goat	0.5
Llama	0.5
Alpaca	0.5
Pig	0.5

September 9, 2021



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Manhattan, KS 66502
785-537-8467
www.bartwest.com

Mr. Chad Kinsley
County Administrator
Pottawatomie County
207 N. 1st Street
Westmoreland, KS 66549

RE: Oliver Brown Elementary School Speed Zone Investigation

Mr. Kinsley,

I was asked by USD 383 to investigate the need for reduced speed limit School Zones near the new Oliver Brown Elementary School. After looking at the school site and speaking with school district employees and Pottawatomie County staff members, it was determined to set the Speed Limit at 20 mph on school days from 8:00 – 9:00 am and 3:30 – 4:30 pm. The Schol Zones will be on Junietta Road from Nature Avenue to Moody Road and on Jackies Way from Junietta Road to Dave Drive. I will work with County employees to get the new signs ordered and installed in the correct locations.

Sincerely,

Nathan A. Bergman

Nathan Bergman, P.E., PTOE
Acting County Engineer
785.224.1797

From: Margaret Parker <mjp@bluevalley.net>

Sent: Monday, September 13, 2021 3:22 PM

To: Chad Kinsley <ckinsley@Pottcounty.org>

Subject: request for support letter

Mr. Kinsley,

I am a volunteer with the Rock Creek Valley Historical Society and Museum in Westmoreland. We plan to apply for a Heritage Trust Fund grant through the KS Historical Society. We are rehabilitating the German Evangelical church at the corner of 6th and State Streets and need additional funding to replace the old roof and to re-point the exterior limestone to stabilize the building. One of the requirements for the grant application is to obtain support letters from the community.

We are requesting a letter from the County Commission in support of our application. Please let me know if that is possible. We need the letter by October 4 in order to submit the application by the deadline.

Thank you for your time.

Margaret Parker

Rock Creek Valley Historical Museum volunteer