

Members of the public wishing to speak during Public Comment or on Items of Business must register with the County Clerk prior to the beginning of the meeting.

AGENDA

BOARD OF FRANKLIN COUNTY COMMISSIONERS Wednesday, January 14, 2026 | 8:30 a.m.

TO BE HELD IN THE ANNEX COMMISSION CHAMBERS

A. ROLL CALL:

☐ **WAYMIRE** ☐ **HARRIS** ☐ **MEADOR** ☐ **DICKINSON**
☐ **STOTTLEMIRE**

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. CORRESPONDENCE & ORGANIZATIONAL BUSINESS

E. PUBLIC COMMENT:

A citizen desiring to speak on an item not on the agenda may do so at this time. Discussion is limited to five minutes and the Commission will not take action or discuss items at this time. Discussion should be limited to matters of County Commission business and public comment is not permitted in regard to personnel matters or on pending legal matters. Items introduced under '**Public Comment**' may become agenda items at a later date.

F. CONSENT AGENDA:

Items listed on the '**Consent Agenda**' are considered routine and shall be enacted by one motion of the Board of Commissioners with no separate discussion. If separate discussion is desired by a member of the Governing Body, that item may be removed from the '**Consent Agenda**' and placed on the regular agenda '**Items of Business.**'

1. Consider And Approve Claim Vouchers And Tax Change Orders.
2. Consider And Approve Franklin County Commission Meeting Minutes For January 7, 2026.
3. Consider Approving The Solicitation Of Bids For Tires.

G. ITEMS OF BUSINESS:

1. Discuss Deed Restrictions For ADU's (Accessory Dwelling Units). Pat

Toth, Planning & Building Director.

Documents:

[01142026ss_adu deed restrictions.pdf](#)

2. Consider Holding A Public Hearing On February 4, 2026 To Vacate 2000 Feet Of Butler Terrace From A Point Of 850' East Of Utah Road. Jeff Welton, Public Works Director.

Documents:

[butler terrace road vacate cover sheet.pdf](#)

[butler terrace landowner petitions.pdf](#)

[butler terrace map.pdf](#)

[butler terrace vacation resolution.pdf](#)

[public notice press release -butler terrace vacation.pdf](#)

H. STAFF REPORTS

I. COMMISSIONER COMMENTS AND BOARD REPORTS

J. CONSIDER A MOTION FOR ADJOURNMENT

K. INFORMATION AND ANNOUNCEMENTS:

1. Upcoming Events:

January 14 - Commission Study Session immediately following the Commission Meeting

January 19 - Commission Study Session at 8:30 AM (Canceled due to Martin Luther King Jr. Day)

January 21 - Commission Meeting at 8:30 AM

January 28 - Commission Meeting at 8:30 AM

February 2 - Commission Study Session at 8:30 AM

February 4 - Commission Meeting at 8:30 AM

February 11 - Commission Meeting at 8:30 AM



To: Franklin County Board of County Commissioners
From: Pat Toth
Department: Planning & Building
Date: Wednesday, January 14, 2026

AGENDA ITEM NARRATIVE

Discuss deed restrictions for ADU's (Accessory Dwelling Units).

BACKGROUND

On September 6, 2023 the Board of County Commissioners approved amendments to the County Zoning Regulations allowing Accessory Dwelling Units (ADUs) in the A-1, A-2 and R-E Zoning Districts. Approved as part of the amendments was the condition that the property owner shall reside in either the PDU or the ADU and that a deed restriction shall be signed by the property owner and recorded with the Franklin County Register of Deeds Office, providing notice that the ADU is located on the property and must be used in compliance with the requirements of the Franklin County Zoning Regulations and that the lawful existence of the ADU is subject to the occupancy of the property owner in either the PDU or the ADU. Violation of the ADU regulations may result in the property owner being responsible for the removal of the ADU. The purpose of this item is to review and discuss the deed restrictions.

SPECIFIC ACTION REQUESTED

Discuss and consider potential deed restrictions for Accessory Dwelling Units within Franklin County.

ATTACHMENTS

ADU Restrictions

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS (Declaration) is made this ____ day of _____, 20__ (effective date), by _____ (Declarant).

RECITALS

WHEREAS, Declarant is the owner of a certain parcel of real property in Franklin County, Kansas more particularly described in Exhibit A attached hereto and commonly known as (address) hereinafter referred to as the "Property"; and

WHEREAS, Declarant is encumbering the Property as a condition to a request for issuance of a building permit by Franklin County Planning Department for an accessory dwelling unit, as defined in the Franklin County Zoning Regulations.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Declarant for itself, its successors and assigns, does hereby agree that the Property shall be subject to and shall be used in conformance with the following restrictive uses.

AGREEMENT

1. Restrictions. The Property shall be subject to the following restrictions:
 - (a) The Accessory Dwelling Unit must be used in compliance with the Franklin County Zoning Regulations; and
 - (b) The lawful existence of the Accessory Dwelling Unit is subject to the occupancy of the property owner in either the Primary Dwelling Unit or the Accessory Dwelling Unit. Violation of the Accessory Dwelling Unit Zoning Regulations may result in the property owner being responsible for the removal of the Accessory Dwelling Unit.
2. Declaration Runs with the Land. The restrictions under this Declaration shall be deemed restrictive covenants and shall run with the land, shall be a benefit and a burden to the Declarant, their successors and assigns and any person acquiring an interest in the Property, their grantees, successors, heirs, administrators, devisees, or assigns.
3. Release of Restrictive Covenants. This Declaration may be terminated as to the Property only by recorded document, issued and executed by the Franklin County Planning & Building Department, pursuant to applicable Franklin County Planning & Building procedures.

4. Violation of Restrictive Covenants. Should this Declaration of Restrictions be violated at any time, it shall be considered a violation of Franklin County Zoning Regulations Article 3, Zoning Districts and General Regulations and the remedies described in Article 3, Section 3-3.01.W thereof shall be available to the Franklin County Planning & Building Department. The Declarant shall be responsible for any and all costs, including but not limited to attorney's fees and costs incurred by Franklin County Kansas for any enforcement actions brought for violations of these restrictive covenants.
5. Severability. All of the restrictions, covenants, agreements and conditions contained herein shall be construed together, but if it shall at any time be held by a court of competent jurisdiction that any one of such restrictions, covenants, agreements or conditions, or any portion thereof is invalid or for any reason becomes unenforceable, no other restriction, covenant, agreement or condition contained therein shall be affected or impaired thereby.
6. Governing Law. This Declaration shall be construed, interpreted, and applied in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, Declarant does hereby execute this Declaration to be effective as of the date first above written.

DECLARANT

Certificate of Compliance:

State of Kansas

Franklin County

I hereby certify that this Accessory Dwelling Unit has been reviewed and found to comply with the Zoning Regulations of Franklin County, Kansas therefore, this Restrictive Covenant to Property Declaration of Restrictions is approved for recording.

Signed this ____ day of _____, 20__.

Pat Toth --- Planning Director

STATE OF KANSAS)
COUNTY OF FRNKLIN)

This instrument was acknowledged before me this _____ (date) by
_____ (name/s of person/s).

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

EXHIBIT “A”



Franklin
COUNTY KANSAS
] EST. 1855 [

Agenda Cover Sheet

To: Franklin County Board of County Commissioners
From:
Department:
Date:

Agenda Item Narrative

Background

Specific Action Requested

Attachments

Date: October 16, 2025

From: Mona L. Blevins

4325 Butler Terrace

Greeley KS 66033

To: Franklin County KS

Department of Public Works

Road & Bridge Dept.

To whom it may concern,

Please know it is kindly requested that the county road is closed adjacent to my property:

Parcel Number 030-213-08-0-00-00-003.00-0 (Quick Ref ID R13436)

The Reason for the request is to stop trespassers, recreation vehicles, poachers and non-authorized citizens from entering on my properties.

Thank you,

Mona L. Blevins

Mona L Blevins 10/21/2025

Date: October 16, 2025

From: Buck Ortega

Menem V LLC

PO Box 219

Cave Springs AR 72718-0219

To: Franklin County KS

Department of Public Works

Road & Bridge Dept.

To whom it may concern,

Please know it is kindly requested that the county road is closed adjacent to my property:

Parcel Number 030-213-08-0-00-00-005.00-0 (Quick Ref ID R13438)

The Reason for the request is to stop trespassers, recreation vehicles, poachers and non-authorized citizens from entering on my properties.

Thank you,

A handwritten signature in black ink, appearing to be 'Buck Ortega', written in a cursive style.

Buck Ortega

Date: October 21, 2025

From: Thomas N Overton
4334 Butler Terrace
Greeley KS 66033

To: Franklin County KS
Department of Public Works
Road & Bridge Dept.

To whom it may concern,

Please know it is kindly requested that the county road is closed adjacent to my property:

Parcel Number 030-213-08-0-00-00-005.01-0 (Quick Ref ID R13439)

The Reason for the request is to stop trespassers, recreation vehicles, poachers and non-authorized citizens from entering on my properties.

Thank you,

Thomas N. Overton

 12/1/25



Vantor | Compiled by Franklin County Appraiser

Powered by Esri



**A RESOLUTION TO VACATE A PORTION OF BUTLER TERRACE EAST OF UTAH ROAD IN
FRANKLIN COUNTY, KANSAS**

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of Beginning in Section 8, Township 19 South, Range 21 East of the Sixth Principal Meridian in Franklin County, Kansas; Thence East approximately 2,000 feet to the end at approximately 4400 Butler Terrace.

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on January 21st and January 28th, 2026; and

WHEREAS, notice of the proposed vacation was mailed by certified mail, return receipt requested, to all landowners of record as required by K.S.A. 68-102 notifying said landowners of the proposed vacation and of their right to protest said vacation; and

WHEREAS, a hearing was held on February 4, 2026 for anyone wishing to protest the vacation of said particular road; and

**NOW, THEREFORE, BE IT RESOLVED BY
THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY**

That the following road is not a public utility by reason of neglect, non-use, or inconvenience and that said road has become practically impassable and the necessity for said road as a public utility does not justify the expenditure of the necessary funds to repair said road or put the same in condition for public travel and therefore said road is hereby vacated as follows:

Beginning 850 feet East of the Southwest Corner of the Southwest Quarter of Section 8, Township 19 South, Range 21 East of the Sixth Principal Meridian in Franklin County, Kansas; Thence East approximately 2,000 feet to the Southeast Corner of said Southwest Quarter.

This Resolution shall be in full force and effect following its passage by the Board of County Commissioners and its subsequent publication in the official county newspaper.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Franklin County Board of County Commissioners.

ADOPTED this 4th day of February, 2026.

Sabrina Meador, Chair

Received and recorded this 4th day of February, 2026.

Janet Paddock, County Clerk



Jeff Welton
Director, Public Works

BOARD OF COMMISSIONERS

Colton M. Waymire, District 1
Richard A. Howard, District 2
Sabrina Meador, District 3
Ianne Dickinson, District 4
Donald R. Stottlemire, District 5

PUBLIC NOTICE

The Franklin County Board of County Commissioners will hold a Public Hearing at their regular meeting, which begins at 8:30 a.m. on February 4, 2026 to discuss vacating the road right-of-way of Butler Terrace Beginning in Section 8, Township 19 South, Range 21 East of the Sixth Principal Meridian in Franklin County, Kansas; Thence East approximately 2,000 feet to the end at 4400 Butler Terrace.