

November 9, 2022

BOARD OF FRANKLIN COUNTY COMMISSIONERS

Meeting Location: Franklin County Annex Building Commission Chambers

Chair Dunn called the meeting to order at 8:30a.m.

Roll call: Chair Roy C. Dunn present, Vice Chair Ianne Dickinson present, Commissioner Donald Stottlemire present, Commissioner Rod Harris present, Commissioner Colton Waymire absent.

Chair Dunn asked all in attendance to stand and join him in the Pledge of Allegiance.

Invocation followed.

The commissioners considered a Proclamation to name the last week of October through November 11, 2022 as a time to observe Operation Green Light as a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from active service. Commissioner Dickinson read the Proclamation.

Commissioner Stottlemire moved and Commissioner Harris seconded to adopt Proclamation 22-06 to declare the last week of October through Veterans Day, November 11, 2022 a time to salute and honor the service and sacrifice of our men and women in uniform. All voted "yes".

Public Comment:

James Wallace- 2447 Nebraska Rd, Ottawa- asked who made the decision to switch from Ransom Memorial Hospital to Advent Health. He said he would like to see a serious discussion to replace the whole RMH Board.

Norman Wooge- 3790 Pawnee Rd, Ottawa- said the commissioners are abusing their power. He said the county needs to look at the placement of the elevator in the courthouse. It doesn't seem handicap accessible. He said all the commissioners should be looking at the claim vouchers.

Commissioner Dickinson moved and Commissioner Harris seconded to approve the consent agenda as follows: minutes from the meeting on November 2, 2022. All voted "yes" except Commissioner Dunn abstained.

Kenneth Cook, Planning and Building Director, discussed rezoning application #2208-1986 to rezone approximately 14.34 acres from an R-E Residential Estate District to an A-1 Agriculture District. The property is located at 2740 and 2742 Florida Rd., Ottawa. The purpose of the rezoning would be to combine the two tracts with another track known as 900 Labette Rd. in order for the owner to build a new residence. This rezoning would allow for the property owner to combine three tracts into one 50.57-acre tract.

Commissioner Harris moved and Commissioner Stottlemire seconded to adopt Resolution 22-37 to approve rezoning application #2208-1986 to rezone approximately 14.34 acres from an R-E Residential Estate District to an A-1 Agriculture District. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2208-1987 to rezone approximately 52.03 acres from an A-1 Agriculture district to an A-2 Transitional Agriculture District. This rezoning would allow the property owner to divide the property into two tracts and allow for the sale of the 22-acre eastern tract. The property is commonly known as 4141 Marshall Rd.

Commissioner Dickinson moved and Commissioner Stottlemire seconded to adopt Resolution 22-38 to approve rezoning application #2208-1987 to rezone approximately 52.03 acres from an A-1 Agriculture District to an A-2 Transitional Agriculture District. All voted "yes".

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2209-1989 to rezone approximately 5.70 acres from an R-E Residential Estate District to an A-1 Agriculture District and rezone approximately 0.30 acres from the A-1 Agriculture District to the R-3A Single-family Residential Three Acre District. This proposal will allow for additional land to be added to the 3-acre tract to include the existing driveway, and it will allow for the 5-acre tract to

be joined with the larger agricultural tract as currently platted. The properties are currently known as 2406 and 2426 Florida Rd.

Commissioner Stottlemire moved and Commissioner Harris seconded to adopt Resolution 22–39 to approve rezoning application #2209–1989 to rezone approximately 5.7 acres from an R–E Residential Estate District to an A-1 Agriculture District and re-zone approximately 0.30 acres from an A-1 Agricultural District to an R-3A Single-family Residential Three Acre District. All voted “yes”.

Kenneth Cook, Planning and Zoning Director, discussed approving a final plat for BAAS Estate. The plat is necessary to adjust the boundaries of lot three of the McNeils Estates Platt and also to merge lots one and two of the McNeils Estate to one lot.

Commissioner Harris moved and Commissioner Stottlemire seconded to accept the dedication of rights-of-way and easements and authorize the chairman to endorse the final plat of BAAS Estate. All voted “yes”.

Kenneth Cook, planning, and Zoning Director, discussed rezoning application, #2209–1991 to rezone approximately 10.01 acres from the A – one agriculture district to the R Dash E residential estate District. The property is located at 3893 K–33 Highway. The current owner is requesting the rezoning of 10 acres to allow for a lot split in order to construct a new residence. The owner would retain the remaining 70.20 acres with the existing dwelling. KDOT has issued a letter indicating that they would allow access to the new 10 acre tract, and that it would be consistent with KDOT’s access management policy.

Commissioner Stottlemire moved and Commissioner Dickinson seconded to adopt Resolution 22–40 to approve rezoning application #2209–19912 rezone approximately 10.01 acres from the A-1 Agriculture District to the R-E Residential Estate District. All voted “yes”.

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2209–1995 to rezone approximately 2.00 acres from the R-E Residential Estate District to the A-1 Agriculture District and rezone approximately 15.00 acres from the R–E Residential Estate District to the A-2 Transitional Agriculture District and to rezone approximately 14.71 acres from the A-1 Agriculture District to the A-2 Transitional Agriculture district. The properties to be rezoned are currently known as 4102 K–68 Highway, 3255 Texas Rd., and 3213 Texas Rd. This rezoning request would allow for boundary line adjustments to the three properties and would allow for better access to the properties.

Commissioner Harris moved and Commissioner Stottlemire seconded to adopt Resolution to 22–41 to approve rezoning application #2209–1952 to rezone approximately 2.00 acres from the R-E Residential Estate District to the A-1 Agriculture District and rezone approximately 15.00 acres from the R-E Residential Estate District to the A-2 Transitional Agriculture District and to rezone approximately 14.71 acres from the A-1 Agriculture District to the A-2 Transitional Agriculture District. All voted “yes”.

Kenneth Cook, Planning and Zoning Director, discussed rezoning application #2209–1997 to rezone approximately 20 acres from the R-E Residential Estate District to the A-2 Transitional Agriculture District and consider a Special Use Permit application #2209–1998 to allow for the operation of a micro distillery in an A-2 Transitional Agricultural District. The two properties are located at 3413 and 3426 Utah Rd. The rezoning request would allow the applicant to merge two 10-acre tracts into one larger 20-acre tract that would be required for consideration of a special use permit for the operation of a micro distillery. The applicant owns Buck–U Distillery, and he would like to continue his operation on his residential property.

Commissioner Dickinson moved and Commissioner Harris seconded to adopt Resolution 22–42 to approve rezoning application #2209–1972 rezone approximately 20 acres from the R-E Residential Estate District to the A-2 Transitional Agriculture District. All voted “yes”.

Commissioner Dickinson moved and Commissioner Harris seconded to adopt Resolution to 22–43 to approve Special Use Permit application #2209–1998 to allow for the operation of a micro distillery in an A-2 Transitional Agricultural District. All voted “yes”.

Derek Brown, County Administrator, discussed hiring Jeff Heiman of Stevens & Brand, LLP to conduct the county's next tax sale. Mr. Heiman has assisted the county with the previous tax sales dating back to 2017. He has great rapport with county staff, and his fees would be paid from the proceeds of the sale.

Commissioner Stottlemire moved and Commissioner Dickinson seconded to approve hiring Jeff Heiman of Stevens & Brand, LLP to conduct the county's next tax sale. All voted "yes".

Staff reports were given by Derek Brown, County Administrator; Paul Bean, FCDC Director; Jeff Richards, Sheriff; W. David Lee, Public Works Director; and Janet Paddock, County Clerk.

W. David Lee, Public Works Director, discussed allowing Don Stottlemire and W. David Lee to be the voting members of the Lake Region Solid Waste Authority and allowing Pat Campbell to be the alternate for the 2022–2023 years. These three have currently been attending meetings, but the action needs to be formalized by the commission.

Commissioner Dickinson moved and Commissioner Harris seconded to approve W. David Lee and Don Stottlemire to be the voting members of the Lake Region Solid Waste Authority and Pat Campbell be the alternate for the 2022–2023 years. All voted "yes". Commissioner Stottlemire abstained.

Commissioner Harris moved and Commissioner Stottlemire seconded to adjourn the meeting at 9:55am. All voted "yes".

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Clerk

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Chair