

**FRANKLIN COUNTY  
COMMISSION AGENDA ITEM**

<b>TO:</b> BOARD OF FRANKLIN COUNTY COMMISSIONERS	<b>Reviewed:</b>
<b>FROM:</b> JAMES M. HAAG, JR.	<b>Ext. 3552</b>
<b>DEPARTMENT:</b> PUBLIC WORKS	
<b>DATE:</b> 8/6/08	<b>No.</b>

**ITEM: Consider holding a Public Hearing for 8:45 a.m. to consider vacating Nebraska Road from the south line of K-68 to the west line of relocated Nebraska Road.**

Background: The Kansas Department of Transportation relocated Nebraska Road to the east when I-35 was rebuilt in order to accommodate the new ramp location. The existing Nebraska Road right of way was not vacated and severs the parcel. The intent is to vacate the former right of way and create one parcel.

Recommended Action: Hold a Public Hearing for 8:45 a.m., to consider vacating Nebraska Road from the south line of K-68 to the west line of relocated Nebraska Road. If desirable, adopt a Resolution vacating said road.

Attachments: Exhibit and Resolution



**BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS**

**RESOLUTION NO. 08 - \_\_\_\_**

A RESOLUTION TO VACATE NEBRASKA ROAD FROM THE SOUTH LINE OF K-68 TO THE NORTH WESTERLY  
RIGHT OF WAY LINE OF RELOCATED NEBRASKA RD IN FRANKLIN COUNTY, KANSAS.

WHEREAS, the Franklin County Commission authorized notice of a proposed vacation of a certain portion of Nebraska Road., Franklin County, Kansas.

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on July 26, 2008 and,

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

WHEREAS, a hearing was held on Wednesday, August 6, 2008, for anyone wishing to protest a closing of the particular road;

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

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:

Nebraska Road from the south line of K-68 to the north-westerly right of way line of relocated Nebraska Road located in the NE1/4 of Section 31, Township 16 South, Range 20 East and the NW1/4 of Section 32, Township 16 South, Range 20 East, in Franklin County, Kansas.

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.

WHEREUPON, the Board of County Commissioners of Franklin County, Kansas, passes and adopts this Resolution in regular session, at its chambers in Ottawa, Franklin County, Kansas, this 6th day of August, 2008.

\_\_\_\_\_  
Karen S. Farrell, Chair

APPROVED, received and recorded this 6th day of August, 2008.

\_\_\_\_\_  
Shari Perry, Franklin County Clerk

**FRANKLIN COUNTY  
COMMISSION AGENDA ITEM**

<b>TO:</b> BOARD OF FRANKLIN COUNTY COMMISSIONERS	<b>Reviewed:</b>
<b>FROM:</b> Lisa J. Johnson	<b>Ext:</b> 3485
<b>DEPARTMENT:</b> Administration	
<b>DATE:</b> Wednesday, August 06, 2008	<b>No:</b>

**ITEM: Elm Street Agreement**

Background: The City has requested that the County jointly participate toward the costs for the resurfacing of Elm Street. Elm Street runs past the County shop and is heavily utilized by county vehicles going to and from the public works shop, the recycling center and the noxious weeds department. The County has previously partnered with the City to resurface Elm Street. The estimated cost for this project at this time is \$48,500.00. The City is requesting that the County agree to pay 50% of the costs for this project and has prepared an agreement setting forth their proposal. The agreement is attached to this coversheet for review. The agreement allows either party to opt out of the project prior to commencement of the project if funds are not available or if costs exceed what is anticipated.

Recommended Action: Enter into the agreement with the City of Ottawa to resurface Elm Street.

Attachments: Agreement.

**ELM STREET AGREEMENT**

An Agreement between the City of Ottawa, Kansas and Franklin County, Kansas for the purpose of sharing the costs of paving Elm Street.

WHEREAS the City of Ottawa (hereinafter "City") will pay for the paving of Elm Street from \_\_\_\_\_ to \_\_\_\_\_, (the project); and

WHEREAS the County will be the primary beneficiary of the project in that the County maintenance shop is located at the terminus of Elm Street; and

WHEREAS the County has indicated a willingness to participate in the costs of paving Elm Street;

NOW ON THIS \_\_\_\_ day of \_\_\_\_\_, 2008, the City and the County agree to the following:

1. The City shall pave Elm Street, and conduct all necessary inspection to assure that the street constructed to city standards and will withstand the anticipated usage.
2. The City will pay for the costs of the project and will bill the County, within thirty days of completion, the County share of the costs, agreed to be fifty percent (50%) of the total costs of the project.
3. The County will have the right to review all project information and cost information if it so chooses, and shall contact the Director of Public Works for such documents.
4. The County will pay its costs within 30 days of receipt of the billing from the City.
5. Attached to this Agreement is a definition of the scope of work for the project, and is incorporated herein.
6. This Agreement is subject to the following budget considerations. If the Elm Street project is not started due to high costs or other budget considerations, then neither party is obligated under this agreement to pay for anything. If budget considerations require either party to withdraw from this agreement, then prompt notice to the other will suffice to withdraw, provided notice to the other party occurs before works starts on the project. Once funds are expended to start the Elm Street project, then the parties are bound to pay for the project in accordance with this agreement.

By these signatures the parties agree.

\_\_\_\_\_  
The City of Ottawa, Kansas,  
Richard U. Nienstedt, City Manager.

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Franklin County, Kansas,  
Lisa Johnson, County Administrator

**FRANKLIN COUNTY**

<b>TO: BOARD OF FRANKLIN COUNTY COMMISSIONERS</b>	<b>Reviewed:</b>
<b>FROM: Midge Ransom</b>	<b>Ext. 3531</b>
<b>DEPARTMENT: Health</b>	
<b>DATE: 7/28/2008</b>	<b>No.</b>

**ITEM: Generator**

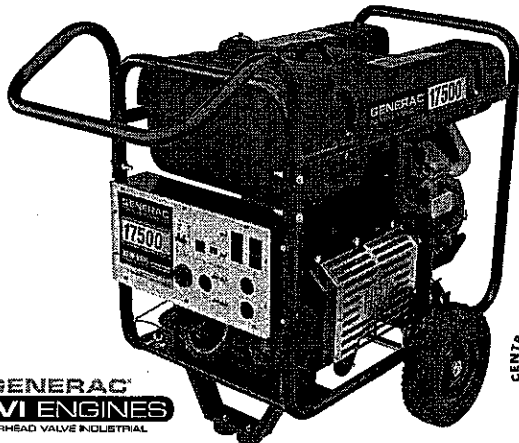
Background: The CRI (Cities Readiness Initiative) has funds to assist our area with emergency preparedness. Some funds this year were available for a generator to back up the North side of the annex. This generator must be maintained for four years by the health department. It is on wheels so that it can be used at additional locations, such as a mass dispensing clinic at an outlying town or other emergency.

Recommended Action: Accept the generator

Attachments: Generator specifications

# Generac® Portable Generator & Transfer Switch Kit

## 17,500 Watts



**GENERAC**  
**OHVI ENGINES**  
OVERHEAD VALVE INDUSTRIAL



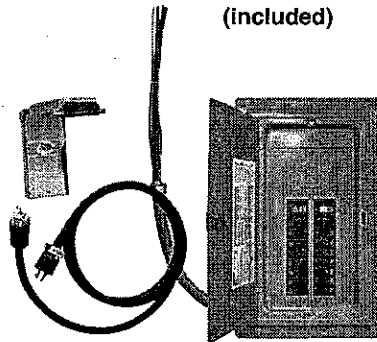
### 17,500 Watts Portable Generator

Generac Model	17500
Model Number	05308
Rated Watts	17500
Surge Watts	26250
Voltage (Vac)	120/240
Output	145.8/72.9
Engine Type	Generac OHVI®
Engine Displacement	992cc
Engine Starting	Electric
Fuel Capacity (gal.)	16
Outlets	2 x 120V 20A GFI, 2 x 120V 20A 2 x 120V 30A, Twistlock 1 x 120/240V 30A, Twistlock 1 x 240V 50A, 1 x 12Vdc 10A
Full Pressure Lubrication	✓
Single Point Lifting	✓
Spin-on Oil Filter	✓
Automatic Idle Control	✓
Low Oil Pressure Shutdown	✓
Solid State Voltage Regulator	✓
GFI Protection	✓
Anti-Vibration System	✓
Circuit Breakers	✓
Battery Charge Cables	✓
Maintenance Free Battery	✓
Full 1-1/4" Tubular Frame	✓
Pneumatic Wheel Kit	✓
Electronic Governor	✓

### FEATURES

- OHVI® Engine — Most Powerful, longest lasting engine available!
- Enough power to start a 5-ton A/C unit
- Full pressure lubrication
- Automotive style spin-on oil filter
- Extended engine life — Rated 3,000+ hours
- Large 16 gallon fuel capacity for extended operation
- Improved fuel economy
- Lower operating temperatures
- EPA/CARB Certified
- Battery/wheel kit/electric start (standard)
- 2 Year limited warranty
- 17,500 running watts / 26,250 surge watts

### TRANSFER SWITCH KIT (included)



Kit includes: 50 amp manual transfer switch with up to 16 selected, pre-wired circuits, 15' power cord and outdoor connection box.

A single switch will lock out the utility and transfer the load to the generator.

Dimensions with handle & wheel kit installed:  
38.5"H x 30.75"W x 48.5"L

Dimensions without handle & wheel kit:  
33.5"H x 21.5"W x 37.5"L

Dimensions in shipping carton: 36"H x 24"W x 49"L

# GENERAC®

POWER SYSTEMS, INC.

GENERAC® POWER SYSTEMS, INC. • P.O. BOX 8 • WAUKESHA, WI 53187  
262/544-4811 • FAX 262/544-4851

## FRANKLIN COUNTY

<b>TO: BOARD OF FRANKLIN COUNTY COMMISSIONERS</b>	<b>Reviewed:</b>
<b>FROM: Midge Ransom</b>	<b>Ext.</b>
<b>DEPARTMENT: Health</b>	
<b>DATE: July 24, 2008</b>	<b>No.</b>

### ITEM: MEDS/PODS System

#### Background:

We are a part of the CRI (Cities Readiness Initiative). Our participation is a requirement of emergency preparedness by the Centers for Disease Control. The CRI is comprised of counties in the Metropolitan Statistical Area. The CRI group wants all of the health departments in the Kansas City region to have the Meds/Pods system. This is a computer system that selects the appropriate medication automatically based upon the medical history provided by clients. It provides greater assurance that we are selecting the appropriate medication for the individual during a mass distribution clinic. It was developed by a pharmacist in KC and is updated regularly as new contraindications or interactions for medication are identified. Using the system would enable us to conduct a clinic faster and with fewer medical professionals. CRI will give it to us and our only obligation is to loan it back to other counties in the KC CRI should they need it. CRI will pay for updates as long as that funding is available. If not available it will still work and we are NOT obligated to update.

The system basically consists of six laptop computers, two switches, 2 pelican cases, 2 printers, cables, ink and prescription forms.

The system continues to expand so that it can be used for flu clinics, tetanus clinics and other disease events which extends its use beyond emergency preparedness.

#### Recommended Action:

Accept the system for Franklin County Health Department

#### Attachments:

**FRANKLIN COUNTY**

<b>TO: BOARD OF FRANKLIN COUNTY COMMISSIONERS</b>	<b>Reviewed:</b>
<b>FROM: Gayla Stofko</b>	<b>Ext. 3445</b>
<b>DEPARTMENT: Administration /HR</b>	
<b>DATE: August 6, 2008</b>	<b>No.</b>

**ITEM: Approve Calendar Year 2009 Holidays for Franklin County**

Background: Franklin County annually establishes the observance of Calendar Year Holidays for the upcoming year. Attached is a copy of Administrative Order No. 224, signed by Kay McFarland, Chief Justice, on July 21, 2008 establishing the Calendar Year 2009 Holidays for Kansas Court personnel. The preference of Franklin County supervisory staff polled was to observe Thursday, December 24 as a holiday in lieu of Columbus Day, Monday, October 12.

Recommended Action: Approve the attached Calendar establishing the 2009 Holidays

Attachments: Calendar Year 2009 Holidays  
Administrative Order No. 224/Kansas Supreme Court

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 224

Re: Calendar Year 2009 Holidays

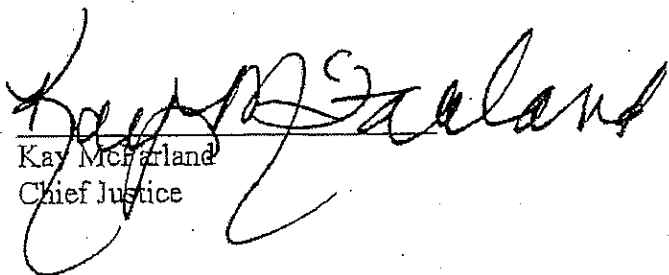
Pursuant to K.S.A. 35-107, Section 8.9 of the Kansas Court Personnel Rules and the executive memorandum issued by Governor Kathleen Sebelius on July 14, 2008, the following dates have been approved for calendar year 2009 holidays:

New Year's Day	Thursday, January 1, 2009
Martin Luther King, Jr. Day	Monday, January 19, 2009
Presidents Day	Monday, February 16, 2009
Memorial Day	Monday, May 25, 2009
Independence Day	Friday, July 3, 2009
Labor Day	Monday, September 7, 2009
Columbus Day	Monday, October 12, 2009
Veterans Day	Wednesday, November 11, 2009
Thanksgiving Day	Thursday, November 26, 2009
	Friday, November 27, 2009
Christmas Day	Friday, December 25, 2009

Observance of these holidays by a district court may be deferred whenever observance of the holiday would interfere with judicial proceedings in progress.

At the discretion of the chief judge and approval of the judicial administrator, a district court may remain open on any of the above-designated holidays when the local county courthouse is open for business and observe as a substitute holiday a county designated holiday not otherwise observed by the Judicial Branch.

BY ORDER OF THE COURT this 21<sup>st</sup> day of July, 2008.

  
Kay McFarland  
Chief Justice

## CALENDAR YEAR 2009 HOLIDAYS

New Year's Day	Thursday, January 1, 2009
Martin Luther King, Jr. Day	Monday, January 19, 2009
President's Day	Monday, February 16, 2009
Memorial Day	Monday, May 25, 2009
Independence Day	Friday, July 3, 2009
Labor Day	Monday, September 7, 2009
Veteran's Day	Wednesday, November 11, 2009
Thanksgiving Day	Thursday, November 26, 2009
	Friday, November 27, 2009
Christmas Day	Thursday, December 24, 2009
	Friday, December 25, 2009

# FRANKLIN COUNTY

To:	Franklin County	Reviewed:	
	Board Of County Commissioners		
From:	Larry D. Walrod <i>LDW</i>	Extension:	3571
	Planning & Building Dept.		
Date:	August 6 <sup>th</sup> , 2008	No.	

## ITEM:

Rezoning Application #0801-818, for Jerry Wray, to rezone from an A-1 to an R-E, located on the West side of Florida Road between Thomas Road and Stafford Road.

## BACKGROUND:

To rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District.

## PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of rezoning application #0801-818 to rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District.

## STAFF RECOMMENDED ACTION:

To adopt the attached resolution approving Rezoning Application #0801-818 rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to amend the Official Zoning Map accordingly.

## ATTACHMENTS:

Staff Report  
Aerial Photo  
Survey  
Resolution

STAFF REPORT



To: Franklin County  
Board Of County Commissioners

From: Larry D. Walrod *L.D.W.*  
Planning Director

Case: Application #0801-818  
Rezoning

Date: July 28, 2008

**GENERAL INFORMATION**

Applicant: Jerry Wray  
1183 Stafford Rd.  
Pomona, KS 66076

Property Owner: Jerry Wray  
1183 Stafford Rd.  
Pomona, KS 66076

Requested Action: Approval of a Rezoning Request.

Purpose: To rezone approximately 5.00 acres from an A-1 (Agriculture) District to a R-E (Residential Estate) District.

Existing Land Use and Zoning: A-1, Agriculture.

File Date: January 17<sup>th</sup>, 2008

**BACKGROUND:**

At their meeting of February 21<sup>st</sup>, 2008 the Planning Commission considered and, by majority vote of those members present, approved Rezoning Application #0801-818 requesting to rezone approximately 5.00 acres of an approximately 55.61 acre tract from an A-1 (Agriculture) to R-E (Residential Estate) District. The remaining approximately 50.61 acres will remain in the "A-1" Zoning District.

The property is located on the West side of Florida Road between Thomas Road and Stafford Road in the North Half (N ½) of the Southeast Quarter (SE ¼) of Section 28, Township 15 South, Range 18 East and is currently used for agriculture with an existing residence.

The purpose for the rezoning is to permit the division and deeding to a son of approximately 5.00 acres with the existing residence. The remainder tract would continue to be used for agriculture.

The existing residence is served with on-site sanitation and water.

Notice was sent to five (5) surrounding property owners. There were no comments for or against this application received by the Planning Department and no one appeared at the public hearing

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners accept the recommendation of the Planning Commission and adopt the attached resolution to approve Rezoning Application #0801-818 to rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District.



FLORIDA ROAD #1027

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1.03  
9.6 Ae (G)

67.8 Ae (G)

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SJAELFORD ROAD #478

SJAELFORD ROAD #478

SJAELFORD ROAD #478

SJAELFORD ROAD #478



**BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 08- \_\_\_\_\_

**A RESOLUTION AMENDING THE  
OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY, KANSAS**

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Jerry Wray to rezone approximately 5.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract 1:

Lot 2 of the Wray Estates located in the Southeast Quarter of Section 28, Township 15 South, Range 18 East of the 6<sup>th</sup> P.M. containing 5.00 acres, more or less, all in Franklin County Kansas.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 30<sup>th</sup> day of January 2008, notice of public hearing for said Zoning Change Request; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on February 21<sup>st</sup>, 2008 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on February 21<sup>st</sup>, 2008 in regular session and by a majority vote of those members present, approved said Zoning Change request based upon certain findings of fact, whereby recommending that the Official Zoning District Map of Franklin County, Kansas be amended; and

WHEREAS, the Franklin County Board of County Commissioners, after duly reviewing the recommendation of the Planning Commission and considering all public comments and concerns regarding said Zoning Change, find that the rezoning of said property would not be detrimental to the surrounding properties and would be in compliance with the provisions of K.S.A. 12-753, the purpose and intent of the Franklin County Comprehensive Plan and the general welfare of the citizens of Franklin County.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby approve rezoning of the above described tract of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and that the Official Zoning District Map of Franklin County, Kansas be amended to reflect the approved zoning change.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 6<sup>th</sup> day of August 2008. This action shall become effective upon publication in the official county newspaper.

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Karen S. Farrell  
Commissioner District 1

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John E. Taylor  
Commissioner District 2

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Roy C. Dunn  
Commissioner District 3

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Donald C. Hay  
Commissioner District 4

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Donald R. Stottlemire  
Commissioner District 5

Received and recorded this the 6<sup>th</sup> day of August 2008.

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Shari Perry  
County Clerk

# FRANKLIN COUNTY

To:	Franklin County	Reviewed:	
	Board Of County Commissioners		
From:	Larry D. Walrod <i>LW</i>	Extension:	3571
	Planning & Building Dept.		
Date:	August 6 <sup>th</sup> , 2008	No.	

## **ITEM:**

Approval of the Final Plat for Wray Estates Subdivision, Application #0803-827, Jerry Wray, located on the West side of Florida Road between Thomas Road and Stafford Road.

## **BACKGROUND:**

The applicant proposes to divide approximately 55.61 acres into two (2) residential lots.

Lots #1 will be approximately 50.61 acres and Lot #2 will be approximately 5.00 acres. Both lots #1 and 2 will utilize Florida Road for access. Both lots meet the minimum standards required by the County Zoning and Subdivision Regulations, including lot size, lot frontage and lot length-to-width ratio.

The proposed 5.00 acre tract has an existing residence with on-site sanitation and an existing well for water.

## **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of Wray Estates Subdivision, Application #0803-827.

## **STAFF RECOMMENDED ACTION:**

Staff recommends that the Board of County Commissioners authorize the Chairman to endorse the Final Plat Wray Estates Subdivision accepting all easements and rights of way as shown on the Plat.

## **ATTACHMENTS:**

Staff Report  
Aerial Photo  
Survey



STAFF REPORT

To: Franklin County  
Board Of County Commissioners

From: Larry D. Walrod *L.D.W.*  
Planning Director

Case: Final Plat  
Application #0803-827  
(Wray Estates Subdivision)

Date: July 28, 2008

**GENERAL INFORMATION**

Applicant: Jerry Wray  
1183 Stafford Rd.  
Pomona, KS 66076

Property Owner: Jerry Wray  
1183 Stafford Rd.  
Pomona, KS 66076

Requested Action: Approval of a final plat, Application #0803-827  
Wray Estates Subdivision

Purpose: To subdivide approximately 55.61 acres into two  
(2) lots.

Location: Located on the West side of Florida Road between  
Thomas Road and Stafford Road in the North Half  
(N ½) of the Southeast Quarter (SE ¼) of Section  
28, Township 15 South, Range 18 East.

Existing Land Use and Zoning: Agriculture / R-E

File Date: March 3<sup>rd</sup>, 2008

**BACKGROUND:**

The applicant proposes to divide approximately 55.61 acres into two (2) residential lots.

Lots #1 will be approximately 50.61 acres and Lot #2 will be approximately 5.00 acres. Both lots #1 and 2 will utilize Florida Road for access. Both lots meet the minimum standards required by the County Zoning and Subdivision Regulations, including lot size, lot frontage and lot length-to-width ratio.

The proposed 5.00 acre tract has an existing residence with on-site sanitation and an existing well for water..

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners authorize the Chairman to endorse the Final Plat for Wray Estates Subdivision accepting all easements and rights of way as shown on the Plat.



FLORIDA ROAD #1027

STAFFORD

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67.8 Ac(c)

STAFFORD ROAD #478