

1. The Coffey County Commission Chambers opened at 8:00 a.m. Monday, May 6, 2002, to individually review correspondence. Chairman Gene Merry called the meeting to order at 9:00 a.m. with members Tim Sipe, Johnnie Sleezer, Fred Rowley, Jr. and Larry Crotts present. Also present were County Clerk Vernon Birk and County Attorney Doug Wittman. Administrative Coordinator Mary Bloomer was on vacation. Coffey County Republican Editor Mark Petterson was present for part of the meeting.

2. Sipe moved to approve the minutes of April 29th, 2002, as corrected, seconded by Sleezer. Motion carried, 4-yes, 1-abstained, Rowley. Corrections were: April 29, 2002, paragraph 31, delete “of” between ‘coupler and bucket’.

3. Crotts moved to authorize and direct the Chairman to sign the following refund orders, seconded by Rowley. Motion carried:

Refund Order No. 4611: Exempted 1988 stock trailer on William Young, Doc #2001-10665-TX for tax year 1999 in the amount of \$450.00.

Refund Order No. 4612: Exempted 1988 stock trailer on William Young, Doc #2001-10665-TX for tax year 2000 in the amount of \$4.69.

Refund Order No. 4613: Exempted 1988 stock trailer on William Young, Doc #2001-10665-TX for tax year 1999 in the amount of \$4.94.

4. The County Clerk presented quotes for a new self-propelled push mower with bagger.

Vender #1	Freeman Outdoor Power Supply	Honda 5.5 hp	\$799.00
Vender #2	Morris Service	Briggs & Stratton 6.5 hp	\$719.00
Vender #3	Caldwell Implement - John Deere	Kawasaki 6.0 hp	\$665.00

4 a. Merry moved, upon the recommendation of the County Clerk, to accept the bid of Caldwell Implement Co., Inc. as the best bid in the amount of \$665.00 and purchase a 2002 John Deere mower, model JS63, self-propelled with bagger from Caldwell Implement Co., Inc., funds to come from Equipment Reserve, seconded by Rowley. Motion carried.

5. Sleezer moved to authorize and direct the Chairman to sign the Real Estate Mortgage Release related to the Country Critters properties and the UCC Financing Statement (Termination), seconded by Sipe. Motion carried.

6. Rowley moved to approve the Seller’s Affidavit regarding the Newkirk transaction, seconded by Crotts. Motion carried.

7. Due to the number of concerned citizens attending, Sipe moved to recess to the District Courtroom for the purpose of considering the Planning Board’s recommendation

on Zoning Case No. SU 2002-02 regarding the stock car race track, seconded by Rowley. Motion carried.

- 8.** At approximately 9:30 a.m., Chairman Merry called the meeting back to order with Commissioners Crotts, Rowley, Sipe and Sleezer in attendance. Also attending were County Clerk Vernon Birk, County Attorney Doug Witteman, Zoning Administrator John Zuern and approximately twenty concerned citizens.
- 9.** The Chairman then called for Agenda Item #4, Case No. SU 2002-02, for the establishment of a stock car race track.
- 10.** None of the Commissioners disqualified themselves from the hearing.
- 11.** The County Clerk reported that a valid protest petition has been received on this case that represents 25% of the real property owners within the total area required in the official area of notification, making necessary a three-fourths vote of all members of the governing body to approve this special use.
- 12.** The Planning Board received no comments from a city on this case.
- 13.** The Commissioners have all received copies of the minutes of the Planning Board for April 17, 2002 summarizing the hearing on this case.
- 14.** All present felt they had a fair and impartial hearing by the Planning Board.
- 15.** The Zoning Administrator gave a report on the case and the recommendation of the Planning Board. Zuern displayed a map showing the location of the track and the residences in the immediate area. The proposed race track is located on the west side of Kafir Road about ¼ mile south of 21st Road.
- 16.** The Chairman then asked for new information from the applicant.
- 17.** Applicant Verlin Conkle presented additional information to the Board. Brandon Conkle and Rick Renabarger spoke in favor of the race track.
- 18.** The Chairman asked for public comments.
- 19.** Neville Wimbs and Roger Wilch, Peggy Fellers, Gary and Elaine Seaman and Twila Crook all spoke in opposition to the track.
- 20.** Most everyone mentioned devaluation of property near the track, noise level and dust factor as reasons for not wanting the track. Other items mentioned were cattle in nearby pastures being spooked, lots of traffic causing a safety issue, spoiling a quiet Sunday in the country and the influx of undesirables, etc.

- 21.** The County Clerk read a letter of opposition to the proposed track signed by Glenn D. Fellers.
- 22.** A video tape recording of a Humbolt race track presented by Twila Crook was viewed by all present. The tape recorded the noise level of the race track.
- 23.** Having reviewed all the information presented, the Chairman outlined the choices provided under K.S.A. 12-757[c] for Board action.
 - 23 a.** Sleezer moved by a majority vote, to adopt the findings and factors and recommendation of the Planning Board to disapprove Case No. SU 2002-02, seconded by Sipe. Motion carried, 4-yes, 1-no, Crotts.
- 24.** The Chairman informed those present that persons aggrieved by the final decision of the Board on this matter have 30 days after today's action within which to appeal to District Court. Chairman Merry thanked them for participating in this matter and invited them to stay for the remainder of the meeting.
- 25.** Sipe moved to recess back to the Commission Chambers at 10:23 a.m. to continue the meeting, seconded by Sleezer. Motion carried.
- 26.** The Economic Development Director was on vacation but submitted a weekly report for the week of April 29th to May 3rd.
- 27.** Item No. 95-9; Hotaling attended the Strategic Planning Committee meeting at the Coffey County Hospital. Hotaling reported on leadership graduation, the elected officials breakfast, the Kansas Sampler Festival and the Governor's Classic.
- 28.** Item No. 95-25; Hotaling hosted an elected officials breakfast at Coffey County Hospital. Twenty-eight were in attendance including the elected officials, representatives from all three USD's, the Coffey County Chamber of Commerce, WCNO, Coffey County Hospital and the press. Senator Derek Schmidt and Representative Stanley Dreher reported on the legislative session.
- 29.** Item No. 95-25; Hotaling worked on the Governor's Classic event. Hotaling arranged for the paper tournament plaques, finalized the local newspaper advertising, contracted for T-box sponsor sign boards, printed VIP passes, confirmed the Outdoor Kansas Radio Show to be broadcast live from the event on KFRM radio in Salina, put up banners, and provided event application forms to several Coffey County citizens.
- 30.** Item No. 95-25; Hotaling set up the Kansas Sampler Festival on May 3rd in Independence. Hotaling attended the exhibitors banquet. Hotaling worked the Coffey County booth from 9 a.m. to 5 p.m. on Saturday, May 4th. Hotaling attended the Southeast Kansas Tourism dinner for Oklahoma and Texas tour bus operators Saturday after the festival.

- 31.** Item No. 95-25; Hotaling attended the Boy Scout Distinguished Citizen Award dinner honoring Otto Maynard of WCNO at Emporia State University on April 30th. Governor Graves was the keynote speaker for the event.
- 32.** Item No. 95-29; Hotaling hosted the Leadership Coffey County Youth Program graduation dinner at the Coffey County Museum. Phil Coleman presented a motivational seminar to the class from 4 to 6 p.m. At 6 p.m. the students and their parents were given a tour of the museum by the museum staff. Dinner was at 6:45 p.m. followed by a presentation by Phil Coleman. Thirteen students graduated and a class picture was taken after the event.
- 33.** Item No. 97-6; Hotaling completed and mailed out agendas for the Coffey County Manufacturer's Association meeting to be held on Wednesday, May 8th, at the Coffey County Hospital. Becky Jewett will present the program on Business Emergency Response Teams.
- 34.** Item No. 98-6; Hotaling attended the SEKRPC Executive Committee meeting in Chanute. Hotaling discussed the EDA Conference in Kansas City, MO in June, reviewed EDA Planning Grant Application, and the committee voted to increase the loan job creation cap from \$12,500.00 per job to \$20,000.00 per job. Hotaling discussed the Economic Development Plan to be submitted to EDA in June.
- 35.** Item No. 98-10; Hotaling attended SEK, Inc. Economic Development Council meeting on Friday, May 3rd in Independence. Hotaling reviewed website changes, discussed Business to Business Recyclable Buyers and Sellers Directory, and discussed entrepreneur programs being developed in SEK cities and counties.
- 36.** Item No. 00-3; Hotaling finalized the flight training scholarship for 2002-2003. One student from USD 244 and one from USD 245 applied. USD 243 did not have an applicant this year. The students will be honored at a reception in the courthouse lobby at 8:30 a.m. on Monday, May 20th. The County Commission and representatives from the Coffey County Airport Board will be in attendance. The students, their parents, and their school counselors will also be invited.
- 37.** Hotaling mailed out information on SBA LowDoc loans to a Coffey County resident interested in starting a small business.
- 38.** Sleezer moved to recess into Executive Session at 10:58 a.m. for 3 minutes to include each of the Commissioners and the County Attorney to discuss matters which would be deemed privileged in the attorney/client relationship, seconded by Rowley. Motion carried.
- 39.** The Board resumed regular session at 11:01 a.m.
- 40.** Hub Caspar, County Engineer, presented the weekly report dated May 6, 2002. John Zuern, Administrative Assistant, was also present.

41. Item No. 93-01; Road Permit Report: One Road Permit was issued during the past week.

42. Item No. 99-99; Zoning Permit/Applications Report: No Zoning Permits were issued during the past week.

43. Item No. 2002-06; Bridge Steel: **Bids were presented for this item.**

<u>Vendor</u>	<u>Bid</u>	<u>Delivery</u>
The Railroad Yard	\$30,330.99	Mid June
Motank	\$30,841.13	5-20-02
Kreuger Shop	\$29,906.31	Mid June
Metzgers Custom Welding	\$29,762.93	5-19-02
Bridge & Highway Materials	\$31,190.00	6-17-02
Steel Pipe & Supply	\$29,824.36	5-31-02

43 a. Sipe moved, based upon the recommendation of the County Engineer, that the bid submitted by Metzgers Custom Welding for the structural steel for Bridge No. 50 be approved as being the best bid and purchased according to the terms of the bid at a cost of \$29,762.93, to be paid from the Special Bridge Fund, seconded by Crotts. Motion carried.

44. The County Engineer also discussed landfill issues and various Road and Bridge matters.

45. Sipe moved, upon the recommendation of the Sheriff and approval of the County Attorney, to waive the Purchasing Policy as to informal bids for good cause, said cause being a single-source purchase, and approve the K-9 purchase from Hill County Dog Center for \$5,000.00, funds to come from the Sheriff's budget to be reimbursed, as funds become available, from the Special Law Enforcement Trust Fund, seconded by Sleezer. Motion carried.

46. Commissioners Merry, Rowley and Crotts will be attending the Kansas County Commissioner's Association conference in Wichita this week.

47. Crotts moved to adjourn the meeting at 11:30 a.m., seconded by Rowley. Motion carried.

CORRESPONDENCE:

Response Required

1. Bonnie Heath – Letter regarding position on Coffey County Fire Board of Trustees

2. KDOT – Letter regarding Road Safety Audit

Response Not Required

3. Twila and Billy Crook – Video tape regarding Humbolt Race Track
4. Hawver’s Capitol Report – 4-29; 4-30; 5-1
5. The University of Kansas KUTC – Newsletter
6. Coffey County Historical Museum – Brochures and Newsletter
7. NRC – Letter regarding Annual Performance Assessment Meeting for Wolf Creek Generating Station
8. KDHE – Letter regarding Permit Renewal for Permit No. 0764
9. Barbara Merry – Thank you on behalf of 2002 After-Prom Committee
10. U.S. Army Corps of Engineers – Public Notice

Minutes, May 6, 2002

Signed:

Attest:

Chairman

County Clerk