

BOARD OF MCPHERSON COUNTY COMMISSIONERS

May 5, 2009

10:00 a.m. Commission Meeting

All Present

May 5-7, 2009 KCCA Conference, Wichita, KS

All Present

May 8, 2009 All Schools Day Parade

All Present

Chairman Loomis opened the meeting at 10:00 a.m.

Commissioner Patrick made a motion to approve the agenda for May 5, 2009. Commissioner Terry seconded. **All voted aye.**

No one spoke during Public Input at 10:00 a.m.

Commissioner Patrick made a motion to approve minutes for April 28, 2009. Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion to approve the checks and claims for May 5, 2009 and payroll for May 7, 2009. Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion to approve adds and abates for May 1, 2009. Commissioner Terry seconded. **All voted aye.**

Commissioner Patrick made a motion to approve and sign a Subordination Agreement involving home refinancing by John and Lynn Rowden, and their participation in the McPherson County HOME Grant Program. Commissioner Terry seconded. **All voted aye.**

At 10:10 a.m. Kenneth Cook , Planning and Zoning administrator joined the meeting with three (3) items:

1. A request made by Crop Production Services for approval of SU Case 2009-01, to amend the approved SU Case 2008-05. Chairman Loomis opened the Public Hearing and asked for a review of the case by Mr. Cook, who reported that the applicant would like to ask for an amendment to specific conditions, due to the cost factor of placing chain link fencing around the entire nurse tank area of the proposed anhydrous ammonia storage facility at 1055 Kiowa Road. Mr. Dallas Eilert, representing the applicant, addressed the Commissioners with additional information regarding an alternative method of securing the nurse tank area, which includes the installation, and maintenance of valve locks on all nurse tanks, as well as the installation of a cable fence around a portion of the storage areas. The Planning Board unanimously approved the request at the April meeting. Following discussion, Chairman Loomis reviewed the Commission options for action. Commissioner Patrick made a motion to

- select option #1, approve SU Case 2009-01 and to sign Resolution #09-07 as presented. Commissioner Terry seconded. **Chairman Loomis voted aye. Commissioner Patrick voted aye. Commissioner Terry voted aye.**
2. A request by King Enterprises for approval of Case ZA 2009-03 from A-2 Agricultural Transition to M-1 Light Industrial. Chairman Loomis opened the Public Hearing and asked for a review of the case by Mr. Cook, who reported that the applicant is seeking approval to build a construction office as well as equipment and material storage yards on the property located one half mile east of 14th Avenue on the south side of Iron Horse Road. Mr. Mike King, owner of King Enterprises, addressed the Commissioners and gave further details regarding the proposed placement and appearance of the office and yards. The Planning Board unanimously approved the request at the April meeting. Following discussion, Chairman Loomis reviewed the Commission options for action. Commissioner Patrick made a motion to select option #1, approve Case ZA 2009-03 and to sign Resolution #09-08 as presented. Commissioner Terry seconded. **Chairman Loomis voted aye. Commissioner Patrick voted aye. Commissioner Terry voted aye.**
 3. A request by Homer Krehbiel for approval of Case #ZA2009-04 from A-2 Agricultural Transition to M-2 Heavy Industrial. Chairman Loomis opened the Public Hearing and asked for a review of the case by Mr. Cook, who reported that the applicant is seeking approval to construct a poultry slaughterhouse on his property located at 1636 Mohawk Rd. Mr. Homer Krehbiel addressed the Commissioners and provided more specific details regarding the proposed facility as well as its placement on the property. Based on the zoning amendment report, the Planning Board, at its April meeting, unanimously recommended a lesser change; rezoning a portion of the southern portion of the property to M-1 Light Industrial rather than M-2, Heavy Industrial. Mr. Krehbiel stated that he was agreeable to the recommendation. Following discussion, Chairman Loomis reviewed the Commission options for action. Commissioner Patrick made a motion to select option #1, approve Case ZA 2009-04 and to sign Resolution #09-09 as presented. Commissioner Terry seconded. **Chairman Loomis voted aye. Commissioner Patrick voted aye. Commissioner Terry voted aye.**

At 11:08 a.m., John Klenda, County Counselor, joined the meeting and requested twenty (20) minutes of executive session, under Attorney-Client Privilege, including Mr. Witte, to discuss potential litigation matters. Commissioner Patrick made a motion to go into executive session from 11:10 a.m. to 11:30 a.m. Commissioner Terry seconded. **All voted aye.** No action was taken in executive session.

Mr. Klenda requested signature on two (2) Agreements regarding digitalization, storage and publishing between Genline AB, Johanneshov, Sweden, and the McPherson County Old Mill Museum. Commissioner Patrick made a motion for the Chairman to sign the Agreements as presented. Commissioner Terry seconded. **All voted aye.**

At 11:30 a.m., Tom Kramer, Public Works Director, joined the meeting to request approval of the bid from LMK Concrete, Lindsborg, KS, in an amount not to exceed \$289,344.70, for six (6) reinforced concrete box culverts. Commissioner

Terry made a motion to approve the bid as presented. Commissioner Patrick seconded. **All voted aye.**

At 11:40 a.m., Commissioners recessed until 5:00 p.m. when Commissioners Patrick and Terry reconvened to attend the KCCA Conference in Wichita, Kansas. Chairman Loomis joined the Conference on May 6 and May 7, 2009. On May 7, 2009, following the Conference, Commissioners recessed until 9:45 a.m., May 8, 2009 to participate in the McPherson County All Schools Day Parade. At 1:00 p.m. Chairman Loomis adjourned the meeting.

Commission minutes taken by Abbey Heidebrecht.

Ron Loomis, Chairman

Duane Patrick, Vice-Chairman

Harris Terry, Commissioner

Attest: County Clerk
Susan R. Meng