

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Public comment will be taken for each regular agenda item as each item is discussed. Individuals will be limited to one comment per agenda item. Individuals are asked to come to the microphone, sign in, and state their name. Speakers are asked to sign in so that the spelling of names is correct in the minutes of the meeting. Speakers should address all comments/questions to the Commission.

WEDNESDAY, OCTOBER 2, 2019

4:00 p.m. WORK SESSION

-Cemeteries in the Unincorporated Area and County responsibilities (Jan Shupert-Arick, John Nichols, Cammy Owens and Amy Roust)

5:30 p.m. BUSINESS MEETING

-Proclamation for 4-H Week (Kaitlyn Peine)

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of the 2019-2029 membership for the Douglas County Emergency Management Board, and nominate the members to the State Emergency Response Commission as the Local Emergency Planning Committee for Douglas County (Robert Bieniecki)
- (c) Consider approval of County Resolution appointing Robert Bieniecki as Emergency Management Director for Douglas County, Kansas; (Robert Bieniecki)
- (d) Consent Agenda approval of KDOT Cancellation of Agreement No. 183-05 (Keith Browning);
- (e) Consider approval of contracts for highway purposes for Projects No. 2018-53 (Structure No. 09.00N-19.19E)-(Keith Browning);
- (f) Consider approval of the minutes for August 28, September 4, September 11 and September 18, 2019; and
- (g) Consider approval of accounts payable.

REGULAR AGENDA

- (2) General Public Comment

General Public Comment will be at the end of each meeting with a limit of one comment per person and keep their comments brief. Individuals may not give unused time to other speakers. As a general practice, the Commission will not discuss/debate these items, nor will the Commission make decisions on items presented during this time, rather they will refer the items to staff for follow up, if necessary.

- (3) Committee Reports
- (4) Commissioner and/or Administrator Miscellaneous
- (5) Adjourn

WEDNESDAY, OCTOBER 9, 2019

Work Session - Presentation on Comprehensive Plan Amendment, CPA-18-00395, Plan 2040: A - Comprehensive Plan for Unincorporated Douglas County & the City of Lawrence. Scott McCullough, Planning & Development Services Director and Jeff Crick, Planning Manager.

Business Meeting:

-CSR-19-00349 and CSR-19-00350; certificates of survey for approximately 40 acres located in the southeast corner of the intersection of N. 725 Road and E. 475 Road. Submitted by All Points Surveying for Steven M. Hornberger and Cynthia A. Hornberger Trustees, property owners of

record. Administratively approved on August 19, 2019. Mary Miller is the Planner.

CSR-19-00373 and CSR-19-00374; Amended certificates of survey for land previously included within certificate of survey, CSR-18-00469. Approximately 50.32 acres located within the southwest corner of the intersection of N. 1200 Road and E. 2000 Road. Submitted by All Points Surveying for Barb R. Hermreck and Mary M. Williams, trustees of the Norbert M. Grosdidier revocable living trust, property owners of record. Administratively approved on August 30, 2019. Mary Miller is the Planner.

WEDNESDAY, OCTOBER 16, 2019

-Plan 2040 -tentatively

Consider approving a Comprehensive Plan Amendment, CPA-18-00395, Plan 2040: A Comprehensive Plan for Unincorporated Douglas County & the City of Lawrence. Adopt on first reading, joint Ordinance No. 9699/County Resolution, for a Comprehensive Plan Amendment (CPA-18-00395) Plan 2040: A Comprehensive Plan for Unincorporated Douglas County & the City of Lawrence. Jeff Crick, Planning Manager.

WEDNESDAY, OCTOBER 23, 2019

-No Work Session

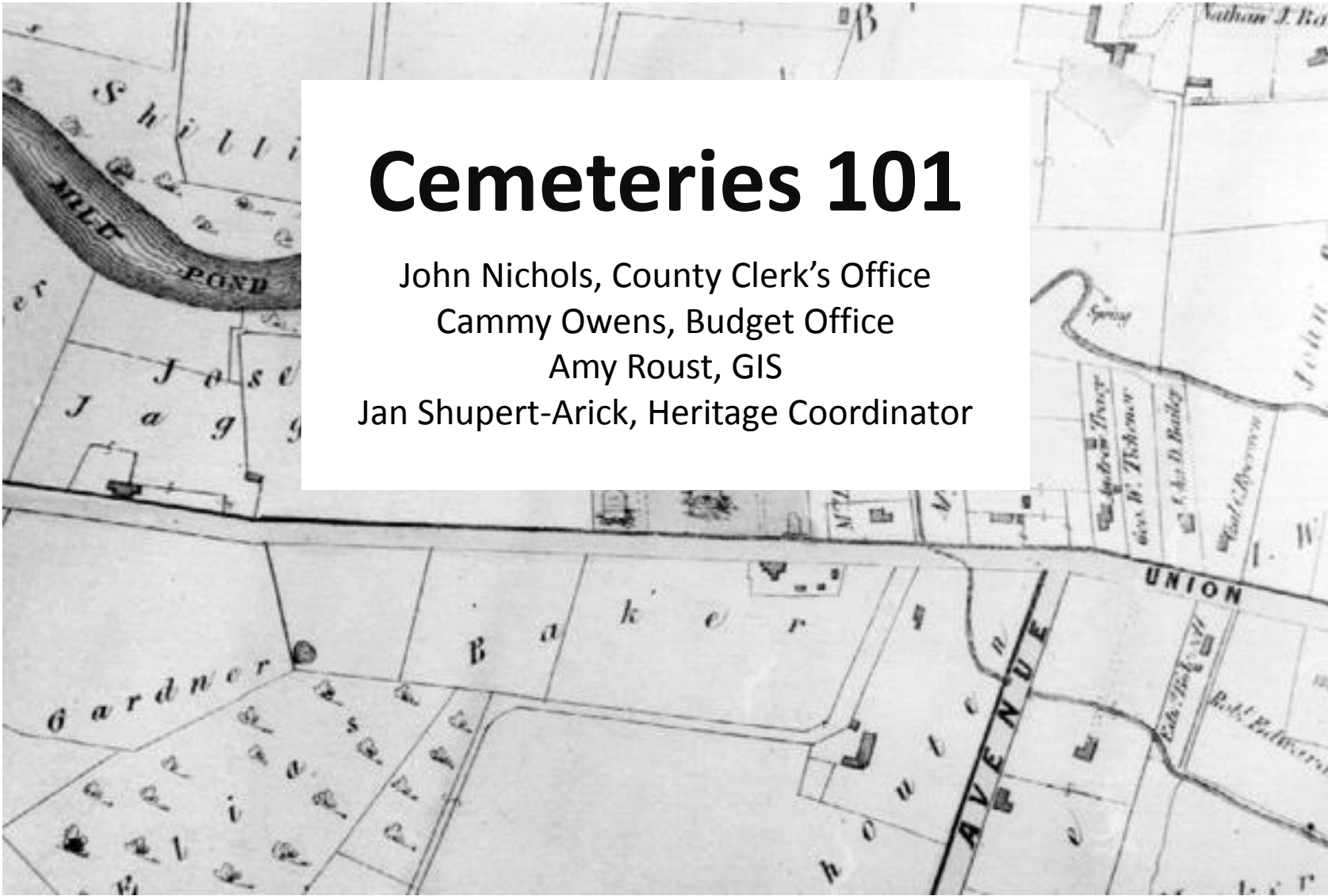
Business Meeting:

-Proclamation for Domestic Violence Awareness Month (Will Averill)

-Volunteer Recognition for Emergency Management

WEDNESDAY, OCTOBER 30, 2019 - cancelled

Note: *The Douglas County Commission meets regularly on Wednesdays at 5:30 p.m., and at 4:00 p.m. for Work Sessions as needed. Meetings are held at the Douglas County Courthouse (2nd Floor) at 1100 Massachusetts Street, Lawrence, KS 66044. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*



Cemeteries 101

John Nichols, County Clerk's Office

Cammy Owens, Budget Office

Amy Roust, GIS

Jan Shupert-Arick, Heritage Coordinator

Definitions

State Statute §19-3106 (2018)

- **Cemetery:** “Three or more human bodies have been interred”
- **Abandoned cemetery:** “Not cared for, for a period of at least five years”



Franklin Town Cemetery



Franklin Town Cemetery



Cemetery Districts

State Statute §17-1373 (2018)

- District is established to care for any non profit cemetery within its boundaries that has conveyed all property to the cemetery district.
- Board may choose to care for other abandoned cemeteries inside its district (per KSA 17-1330)
- Other functioning cemeteries within district receive no funds

Cemetery Districts

- Douglas County has 8 Cemetery Districts
- Cemeteries currently cared for by Cemetery Districts
 - Clinton Cemetery
 - Colyer Cemetery
 - East View Cemetery
 - Maple Grove Cemetery
 - Rock Creek Cemetery
 - Stull Cemetery
 - Twin Mound Cemetery
 - United Cemetery Association District of Franklin County cares for 4 Douglas County Cemeteries
 - Highland/Dodder Cemetery
 - Union/Sower Cemetery
 - Old Bethel Cemetery
 - Appanoose Cemetery

Cemetery Districts

- County Budget Office Contact with Cemetery Districts
 - Annual report of finances submitted to County Budget office
 - To be signed by President and Treasurer of Cemetery District per KSA 17-1372
 - County Budget office assists Cemetery Districts with Annual Budget Submission to levy taxes in compliance with State Budget laws.

Cemetery Districts

State Statute §17-1330 (2018)

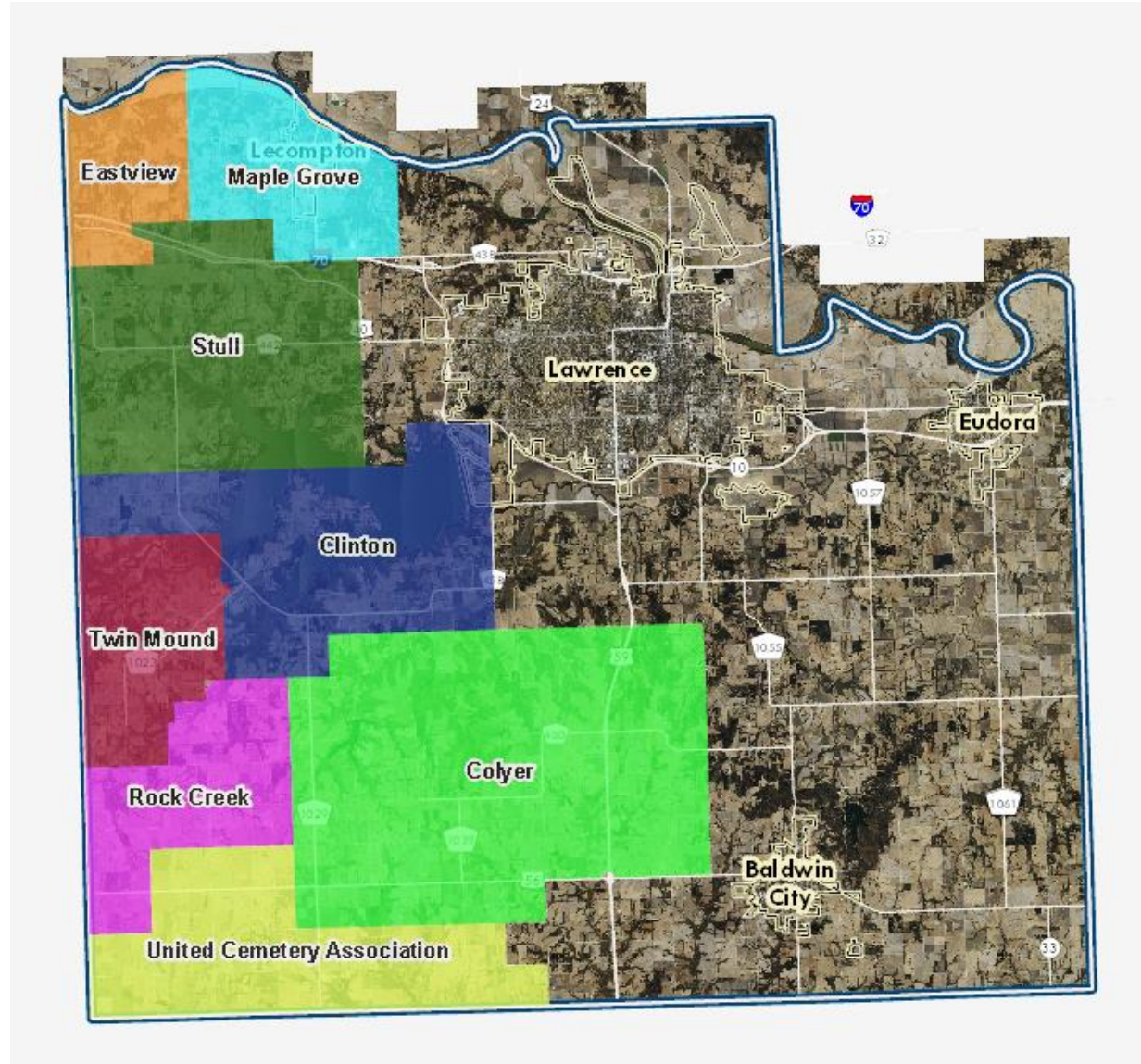
- Created by petition submitted to County Commission
- Must be approved by 51% of “qualified electors” in district
- Cemetery District established, receives tax levies
 - Must have a board of directors (5-9 members) elected
 - Must hold an annual meeting
 - Must submit annual budget report to county
- Unclear what happens if a district is out of compliance

Cemetery Districts

State Statute §17-1330 (2018) (continued)

- District is established to care for one cemetery
- Board may choose to care for other abandoned cemeteries inside its district
- Other functioning cemeteries within district receive no funds

Cemetery Districts Map

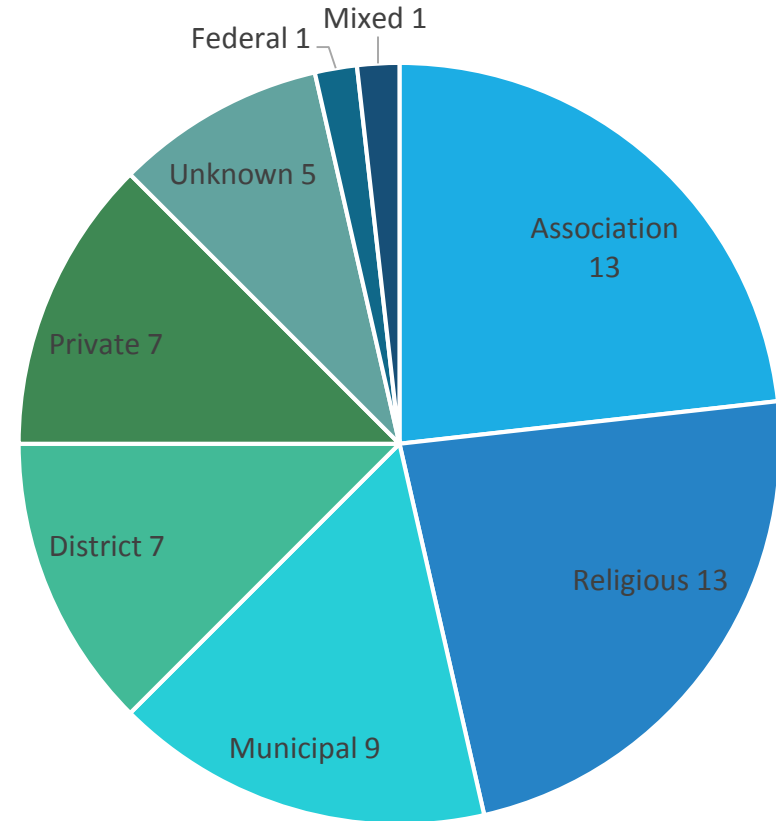


Cemetery Ownership Categories

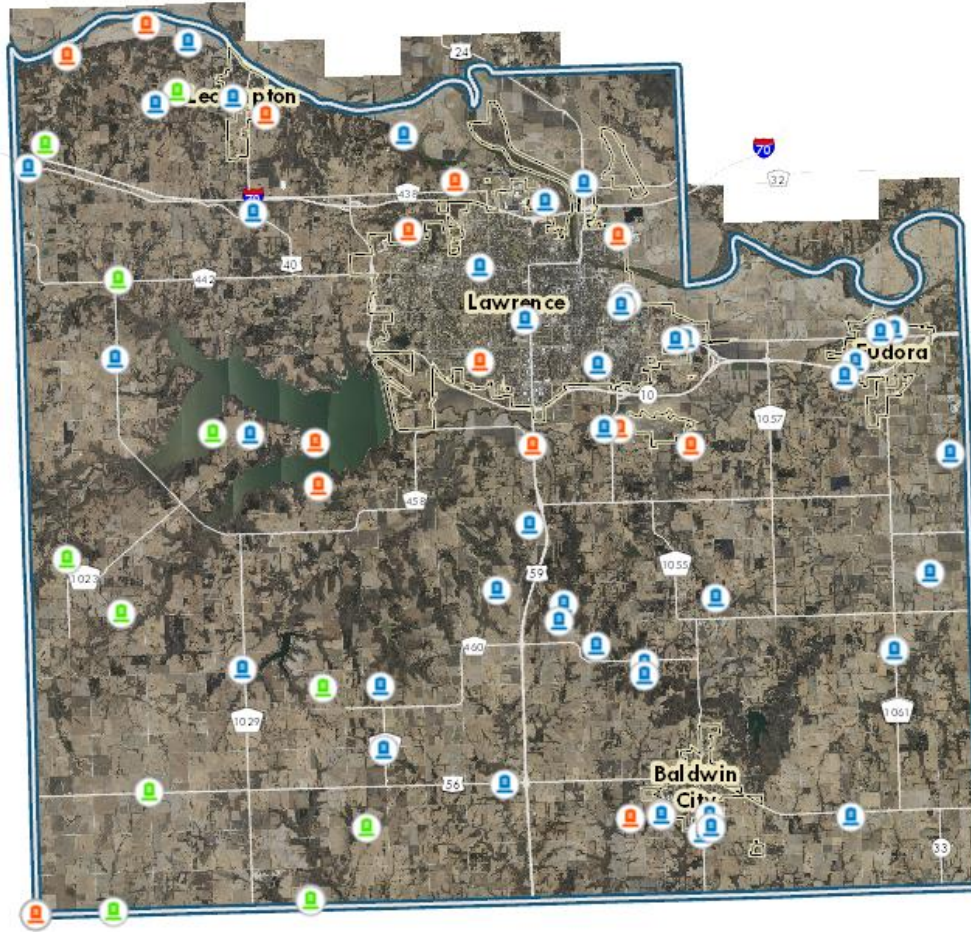
- Cemetery Associations
- Districts
- Federal
- Mixed (Religious/Association)
- Municipal
- Private
- Religious
- Unknown



Holy Family Cemetery, Eudora



Cemetery Locations



<https://gis.douglascountyks.org/portal/apps/opstdashboard/index.html#/a486b47a65654570af27730620726fe7>

Douglas County KS GIS; Surdex

Cemeteries in Douglas County

 57

Tax Supported Cemeteries

 11

Lost Cemeteries in Douglas County*

 19

* Only includes cemeteries on the map.

Clerk's Office Cemetery Worksheet – page 1

NAME	ADDRESS	PLATE	NOTES		CONTACT
Adams/USD 497	1350 N 1750 Rd	800120A		24-12-19	Hall, Curtis
Appanoose	196 N 1 Rd	600120-01		13-15-17	Appanoose Cem Assn Attn Gilliland, Rex
Baldwin	2108 6th St	B02931			City of Baldwin City Clerk
Bethel	849 N 200 Rd	900381A		s7-15-19	Old Bethel Cemetery
Big Springs/St Peters	46 Hwy 40	500090A		s14-12-17	Big Springs Catholic Cem Attn Noe, Carol A
Black Jack	187 E 2075 Rd	700778-02		s7-15-21	First Presbyterian Church of Black Jack, Attn O'Neil, Frank
Bloomington	Removed for Clinton Res	Removed Clinton Cem			
Blue Mound	on NW slope old Mt Bleu	800919A01A	Wakarusa Twp		Lutz Frederic J
B'Nai Israel	1301 E 2100 Rd	200274-01		s7-13-21	Lawrence Jewish Community Center Inc, Board of Directors
Breeze	761 E 1375 Rd	900145-02		s12-14-19	Breeze, Thomas & Annie Heirs Attn Flory Delbert E
Brumbaugh/Ger Bapt	639 E 1452 Rd	700157A		18-14-20	German Baptist Church, Attn Flory, Delbert-Treasurer
Clearfield	602 E 2200 Rd	700606A		s16-16-14	Clearfield Cemetery
Clinton	724 N 950 Rd	100091-01		s16-13-18	Clinton Cemetery District Attn Jones, Keith D
Colyer	551 E 750 Rd	600348A		s24-14-18	Colyar Cemetery District Attn Harris, Rob Treasurere
Davis	3604 Westridge Dr	U13861PA			Bogard Gale W Trustee
Day/Deay	799 E 2300 Rd	200497A04		s9-14-21	Deay Cemetery Assn Attn Gabriel Robert W
Dodder/Highland	302 E 300 Rd	600403A		s32-14-18	Highland Cemetery
Dow			700174 ?	20-14-20	
Dutton	under old Hwy 59		Wakarusa Twp?	23-	
East View	1949 E 100 Rd	500050A01		s11-12-17	East View Cemetery Attn Noe, Carol A
Eudora	2229 N 1420 Rd	200204BA01			City of Eudora Attn City Clerk
Flory/Pleasant Hill	790 E 1217 Rd		9.00E+06	s10-11-19	Pleasant Hill Cemetery Trustees Attn Flory Delbert E
Franklin	1696 N 1400 Rd	800635EA		s4-13-20	Douglas Co Clerk
Franklin Catholic	1688 N 1400 Rd	800635A	aka St Johns	s4-13-20	Roman Catholic Archdiocese of KC
Grover	Its 6, 7 Springwood Hghts ?		near LFD Fire Station 4	2340 lawrence ave?	
Haskell	Campus HINU	U06351-01A			US Government Attn Haskell Indian Nations University
Hesper	2355 N 1100 Rd	200376-02		s27-13-21	Kansas Yearly Mtg of Society Of Friends Attn Hesper Friends
Kennedy	1179 E 1500 Rd	800888C		19-13-20	Kennedy Cemetery Assoc Attn Kennedy Ted
Lecompton	600 Whitfield St	L00780A		s3-12-18	Lecompton Cemetery
Maple Grove	2073 E 425 Rd	500199-01A		s4-12-18	Maple Grove Cemetery Trustees Attn Neill Sherri
Marshall	1429 N 1100 Rd	800955BA01 ?		30-13-20	
Martin					
Memorial Park	1517 E 15th St	U11800			City of Lawrence Attn City Clerk
Mound View	222 N 1400 Rd	400243-01		s6-13-18	Mound View Cemetery Assn Attn Vannicola Phillip J
Mt. Calvary	1600 Oak Hill Ave	U08464D			Roman Catholic Archdiocese of KC
Oak Hill	1605 Oak Hill Ave	U08464A01			City of Lawrence Attn City Clerk

	LOST/ENDANGERED	
	MAPLE GROVE CEMETERY DISTRICT	
	TWIN MOUND CD	
	COLYAR/COLYER CD	
	UNITED CD	
	STULL CD	
	ROCK CREEK CD	
	EAST VIEW CD	
	CLINTON CD	
	OUTSIDE COUNTY, Local burial	

Clerk's Office Cemetery Worksheet – page 2

Oakwood	203E1600 Rd	700463A		s5-15-20	Roman Catholic Archdiocese of KC
Pioneer	2201 Irving Hill Rd	U09512E			KU Endowment Assoc Attn Soukup Monte
Poor Farm, DG CO		800899-01BA ?	rep. behind bldgs by rd/rivr	s20-13-20	Saathoff Judith
Prairie City	207 E 1600 Rd	700463B		s5-15-20	Prairie City Cemetery Assn Attn Jardon Marta
Richland	1298 N 935 Rd	800530-01		35-13-19	Richland Cemetery Assn
Rock Creek	755 E 250 Rd	600207-01		s7-14-18	Rock Creek Cemetery District Attn Peterson Roberta
Rose Hill	N side Lyons St, 8t to 9th St	No evidence	Grant Twp		
Shirley		500113A ?	28-11-18	ss28-11-18	
Sowers Union	14 E 700 Rd	600519A		13-15-18	Sowers Union Cemetery Trustees
St. Johns	394 E 900 Rd	900288-01		s32-14-19	St John's German Evangelical Congregation of Willow Springs
Stony Point	1567 N 600 Rd	700171B		20-14-20	Stony Point Evangelical Lutheran Church & Cemetery Assn
Stull/Deer Creek	256 N 1600 Rd	400141A		s30-12-18	Stull Cemetery Attn Danny G
Sutton	1119/1201 N 300 Rd	900347A/900341-06		s2-15-19	Sutton Cemetery Co Trustees Attn Newell Alice
Swedish/Helstrom/Johnson		100182C		s25-13-18	KU Endowment Assoc Attn Soukup Monte
Twin Mound	898 E 100 Rd	600003A		s1-14-17	Twin Mound Cemetery Trustees Attn Gaines Jon W
Ulrich	701 E 1375 Rd	900145-01		s12-14-19	Ulrich Burying Ground Trustees Attn Ulrich Marshall M
United	18 E 700 Rd	600518B		s13-15-18	United Cemetery Assn Attn Gilliland Rex
Vinland	748 E 1750 Rd	700070H01		s10-14-20	Vinland Cemetery Assn Attn Johnson Denny
Walnut Creek			Franklin County K33/Reno TR		
Washington Creek	607 E 550 Rd	600292-01		s15-14-18	Washington Creek Baptist Cemetery Attn Hulce John Treas
Williams	552 E 850 Rd	900196A		s19-14-19	Williams Cemetery Attn Flory Delbert Treas
Worden	947 N 300 Rd	900370B		s5-15-19	Worden Evangelical United Brethren Church
Holy Family	820 Birch St	E03376A01, E03382A01			Roman Catholic Archdiocese of KC
Old Eudora Catholic	820 Birch St	200224-01			Roman Catholic Archdiocese of KC
Old Southwest Eudora	1500 Cedar St	E00034			City of Eudora Attn City Clerk
Lahay	Removed for Clinton Res	removed Clinton Cem			
Anderson	Removed for Clinton Res	removed Clinton Cem			
Kretzinger			Palmyra Twp?	s9-15-21?	
Jones-Vancil	KU Adams Campus	100182C		ne4-25-13-18	KU Endowment Assn Attn Monte Soukup
Barker/Lyons/Mack		800087BA ?		s20-12-19	
Bidinger		400180A01 ?	400083B?	s33-12-18	
Borrowed Light			Lecompton Twp		
Klaus		500209A?		s5-12-18	
Miller			off n200 Rd, w of e1575 rd		
Moore			Ely Moore 1860		
Lewis/Crowder	965 N 1950 Rd	500322A		s8-12-19	Cemetery Attn Appraiser's Office

	LOST/ENDANGERED	
	MAPLE GROVE CEMETERY DISTRICT	
	TWIN MOUND CD	
	COLYAR/COLYER CD	
	UNITED CD	
	STULL CD	
	ROCK CREEK CD	
	EAST VIEW CD	
	CLINTON CD	
	OUTSIDE COUNTY, Local burial	

Clerk's Office Cemetery Worksheet – page 3

Lewis/Crowder	965 N 1950 Rd	500322A		s8-12-19	Cemetery Attn Appraiser's Office
Bald Eagle		L00753A ?		s2-12-18	
Grover townsite		500338 ?		s36-11-17	
Oakwood Bldwn	400 Orange St	B01892C			City of Baldwin City Attn City Clerk
Pioneer Bldwn	174 E 1700 Rd	700523A		s10-15-20	City of Baldwin City Attn City Clerk
Mt Calvary Bldwn	203 E 1600 Rd	700463A		s5-15-20	Roman Catholic Archdiocese of KC
Jimmy Lane lost			old Lane/Jenkins claim	36-12-19	
Taylor			Old Eben Baldwin farm	2 rods sq,SW/4 15-12-19	
KEY					
	LOST/ENDANGERED				
	MAPLE GROVE CEMETERY DISTRICT				
	TWIN MOUND CD				
	COLYAR/COLYER CD				
	UNITED CD				
	STULL CD				
	ROCK CREEK CD				
	EAST VIEW CD				
	CLINTON CD				
	OUTSIDE COUNTY, Local burial				

Who cares for abandoned cemeteries?

State Statute §17-1366 (2018)

- At least one year, “failure to cut grass or weeds or care for graves, grave markers, walls, fences...” or maintain records
- Care of an abandoned cemetery falls to the **municipality** or **county**

State Statute §80-916 (2012)

- Care of abandoned cemeteries go to **township**

State Statute §17-1305 (2016)

- Abandoned private burying grounds go to **County Clerk**, who files civil suits against the owner

Cemeteries of Concern



Franklin Town Cemetery



Lewis Crowder African American Cemetery

Cemeteries of Concern



Kennedy Cemetery



Adams Cemetery USD 497

Cemeteries of Concern



Blue Mound Cemetery – Courtesy Unmistakably Lawrence

Caring for our Cemeteries

Quiet Stewards

HCC Grant Support –

2019 Pioneer Cemetery at Baldwin City
2015 Oak Hill Cemetery Receiving Vault

Friends Groups

Oak Hill Cemetery – Perhaps a model for other Cemetery Friends Groups

National Register Nominations

- Oak Hill Cemetery
- Appanoose Cemetery
- Lewis Crowder African American Cemetery – being drafted by the Heritage Office

Conservation and Maintenance Training – Heritage Conservation Council

2018 Heritage Trust Fund Grant funded *“Tombstones on the Kansas Prairie: A Cemetery Conservation Workshop”* - Taught Skills for Tombstone Repair and Cleaning



Success Stories - Appanoose Cemetery



Challenges of how to Protect Our Cemeteries

- GIS Mapping – Working across departments to create GIS data layers for Zoning & Planning, Public Works
- Sharing Data – Across departments, municipalities, historical societies, libraries, private cemeteries
- Telling the Stories – Validating the history of a place by sharing historically accurate information
- Providing resource information to local residents interested in cemeteries
- Burial Records – Create a Digitization Project Plan that includes communication with Funeral Homes



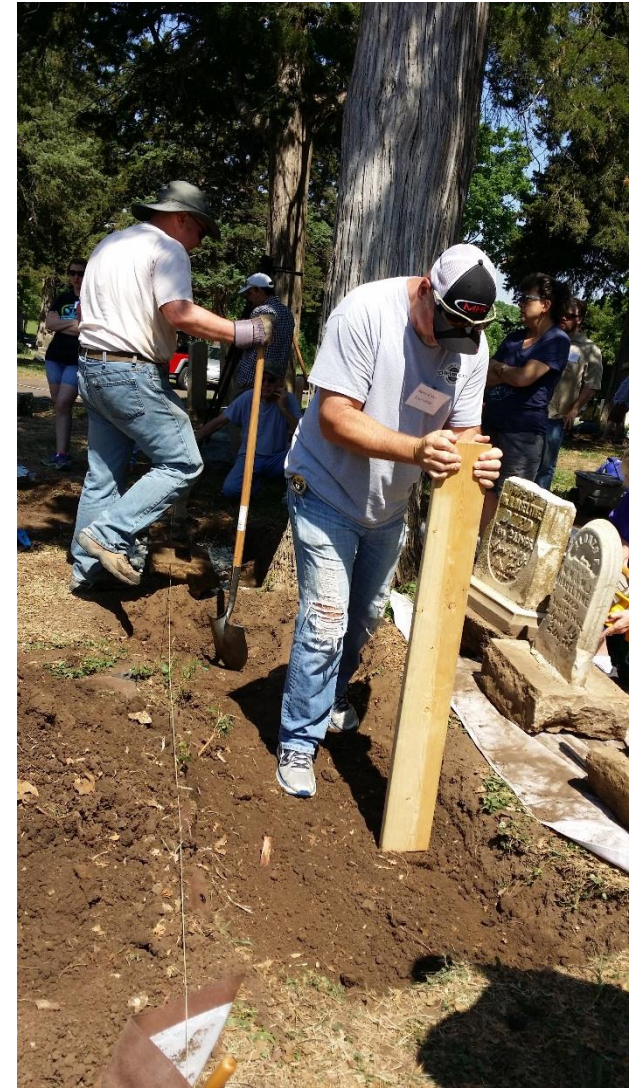
HCC Natural & Cultural Grant Program



Oak Hill Cemetery Receiving Vault, Lawrence

Pioneer Cemetery Baldwin City

Cemetery Conservation Workshop



National Park Service Preservation Brief #48

Preserving Grave Markers in Historic Cemeteries

Mary F. Striegel, Frances Gale, Jason Church and Debbie Dietrich-Smith

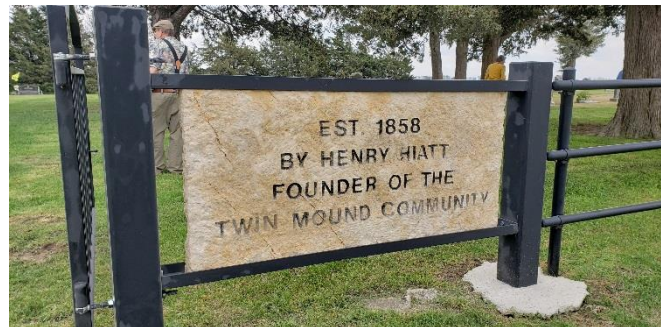
Cemeteries found across the country are not only places of burial, but they also provide a vivid record of community history. Whether large or small, well maintained or neglected, historic cemeteries are an important part of our cultural landscape. The vast richness of expression through form, decoration and materials informs our understanding of the individuals buried in historic cemeteries and their cultural significance. While cemeteries are often considered to be perpetual, their most prominent feature—the grave markers—are not. They weather, naturally decay, often are poorly maintained and repaired and, on occasion, are vandalized.

Grave markers are usually noteworthy not only for their inscriptions but also for their craftsmanship. Exceptional markers are considered works of art. This Preservation Brief focuses on a single aspect of historic cemetery preservation—providing guidance for owners, property managers, administrators, in-house maintenance staff, volunteers, and others who are responsible for or are interested in preserving and protecting grave markers. Besides describing grave marker materials and the risk factors that contribute to their decay, the Brief provides guidance for assessing their conditions and discusses maintenance programs and various preservation treatments.

Benefits of Preservation



Heritage Tourism



Heritage Tourism



Oak Hill Cemetery History Tours



Clinton Cemetery History Tours



Office of the County Commission

P R O C L A M A T I O N

NATIONAL 4-H WEEK IN DOUGLAS COUNTY

October 6-12, 2019

WHEREAS, 4-H youth across the nation are keeping it green by leading efforts to solve problems in their communities, raise awareness about environmental issues, and make a difference for their future; and

WHEREAS, 4-H is one of the largest youth development organizations in Kansas and the largest in the nation with over six million young people; and

WHEREAS, 4-H in Douglas County, Kansas claims more than 350 members and more than 100 volunteers; and

WHEREAS, 4-H as part of the Kansas State University Research and Extension is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, engineering and technology; healthy living; and citizenship; and

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation's 106 land-grant universities and colleges for more than 100 years;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, do hereby proclaim **October 6-12, 2019** as **National 4-H week in Douglas County**, and urges the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part of Douglas County 4-H Youth Development and to join us in recognizing the unique partnership between our county and our state university system.

ADOPTED this 2nd day of October 2019.

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

Michelle Derusseau, Chairman

Patrick Kelly, Vice Chair

Nancy Thellman, Member

MEMO

To: Douglas County Commission
From: Robert Bieniecki
Date: September 26, 2019
Re: Emergency Management Board

The Commission is being asked to consider the following:

1. Approve the membership of the Douglas County Emergency Management Board
2. Nominate the members to the State Emergency Response Commission as the Local Emergency Planning Committee for Douglas County

This action will fulfill the requirements of the federal Emergency Planning and Community Right-to-Know Act (CRF99-499) and the related Kansas statutes (65-6701).

The Douglas County Emergency Management Board operates as an advisory group to the Douglas County Commission on local emergency management issues. The Board members work closely with Douglas County Emergency Management staff on all aspects of the department functions and serve as the Citizen Corps Advisory Council. The Board membership must include representatives of groups specified in the federal legislation, and is officially appointed by the State of Kansas Commission on Emergency Response and Planning upon nomination from the Board of County Commissioners.

Executive Committee members and Board officers are elected by the membership. The Executive Board meets monthly. The full membership of the Emergency Management Board meets quarterly. The Emergency Management Department budget funds Board activities. Attached is the membership list for the 2019-2020 year.

2019 - 2020
Douglas County, KS
Emergency Management Advisory Board and
Local Emergency Planning Committee Members

Functional Groups	Member
GOVERNING BODIES	Appointed by Governing Bodies
	Bob Newton, appointee of Douglas County Commission
	Rob Culley, appointee of Baldwin City Council
	Truman Waugh, appointee of Lawrence City Commission
	Ken Keiter, appointee of Eudora City Council
	Wayne Riley, appointee of Lecompton City Council
EMERGENCY SUPPORT FUNCTIONS	Agency Head and/or Appointee
Transportation ESF#1	Richard Haig, Lawrence Municipal Airport Advisory Board
	Lane Sekavec, Union Pacific Railroad
Emergency Communications ESF#2	Tony Foster, Emergency Communications Center
	Kevin Oneslager, ARRL Emergency Coordinator
Public Works & Engineering ESF#3	Keith Browning, Douglas County Public Works
	Tina Rakes, Douglas County Zoning and Codes
Fire ESF#4	Mike Baxter, Fire Chiefs Association
Emergency Management ESF#5	Andrew Foster, University of Kansas Public Safety
Human Services/Mass Care ESF#6	Sarah Wickham, American Red Cross
Resource Management ESF#7	TBD
Health & Medical ESF#8	Sonia Jordan, Lawrence-Douglas County Health Department
	Teri Smith, Lawrence Memorial Hospital
	Pat Deaver, Visiting Nurses
	Amy Lurken, Heartland Community Health Center
Search & Rescue ESF#9	Shaun Coffey, Lawrence-Douglas County Fire Medical
HazMat ESF#10	Shaun Coffey, Lawrence-Douglas County Fire Medical
Agriculture/Natural Resources ESF#11	Midge Grinstead, State Animal Response Team
Utility/Energy ESF#12	David Bellinder, Black Hills Energy
	Vince Avila, Westar Energy
Law Enforcement ESF#13	Ken McGovern, Douglas County Sheriff's Office
	Trent McKinley, Lawrence Kansas Police Department
	Mike Patrick, Baldwin City Police Department
	Chris Keary, University of Kansas Public Safety

2019 - 2020
Douglas County, KS
Emergency Management Advisory Board and
Local Emergency Planning Committee Members

Public Information ESF#15	Porter Arneill, Lawrence Communications Manager
	Bob Newton, Douglas County Emergency Management
Chemical Preparedness	Joseph Baranski, Hallmark Cards
	Cary Mans, Chemtrade
	Kay Johnson, PROSOCO
	Alfred Lugo, United States Public Health Service
Community Group/Social Service	Steve Devore, Headquarters Counseling Center
	Nicole Rials, Bert Nash CMHC
	Kim Murphree, LDS Church
	Mathew Faulk, Bert Nash CMHC
Education	Ron May, Lawrence Public Schools
	Mike Russell, University of Kansas
	Steve Splichal, Eudora Public Schools
	Derek Bland, Baldwin Public Schools
	Josh Woodward, Perry Lecompton Schools
	Gary Goombi, Haskell Indian Nations University
Facility / Industry	Chris Lesser, PROSCO
	Gordon Leong, ICL
	Russell Epperson, API Foils
	2019-2020 Officers & Executive Committee Members
	Mike Russell, Chair
	Kay Johnson, Vice Chair
	Trent McKinley
	Nicole Rials
	Joseph Baranski

RESOLUTION _____

**A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT
DIRECTOR FOR DOUGLAS COUNTY, KANSAS**

WHEREAS, Douglas County is in need of an Emergency Management Director; and

WHEREAS, Robert Bieniecki is qualified to serve as Douglas County's Emergency Management Director.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS**,
that Robert Bieniecki is hereby appointed to the office of Douglas
County Emergency Management Director, effective September 16, 2019,
shall have any and all duties and powers that come with the position.

APPROVED AND ADOPTED THIS ____ DAY OF _____ 2019.

THE BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Michelle Derusseau, Chair

Nancy Thellman, Vice Chair

Patrick Kelly, Commissioner

Attest:



DOUGLAS COUNTY COMMISSIONERS

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5268 Fax (785) 832-5148
www.douglascountyks.org

October 3, 2019

Kansas Division of Emergency Management
2800 SW Topeka Blvd
Topeka, KS 66601

To Whom It May Concern:

Please be advised the Board of Commissioners of Douglas County, Kansas has appointed the following individual as the Director and alternates of Douglas County Emergency Management effective September 16, 2019.

Robert Bieniecki, Director
111 East 11th Street, Unit 200
Lawrence, KS 66044
785-838-2460
785-331-9541
rbieniecki@douglascountyks.org

ALTERNATE(S) (if applicable)
Jillian Rodrigue, Assistant Director
111 East 11th Street, Unit 200
Lawrence, KS 66044
785-838-2459
785-331-9541
jrodrigue@douglascountyks.org

Michelle Derusseau, Chairman
Board of County Commissioners



DOUGLAS COUNTY PUBLIC WORKS

3755 E. 25th Street
Lawrence, KS 66046
(785) 832-5293 Fax (785) 842-1201
dgcopubw@douglascountyks.org
www.douglascountyks.org

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : September 26, 2019

Re : Consent Agenda approval of KDOT Cancellation of Agreement No. 183-05

In late 2009, we requested cancellation of a KDOT-Douglas County agreement concerning the extension of E 1326 Road from its current southern terminus in the Berg Acres area to Route 458. Douglas County determined that the road extension could be postponed until the property through which the road would extend was further developed. The proposed road extension was related to KDOT's closing of two Berg Acres accesses onto US-59 highway as part of the US-59 freeway construction project.

This week we received the attached Cancellation of Agreement No. 183-05 document from KDOT Office of Chief Counsel. They request the BOCC execute two original copies of the document and send both original copies to KDOT. They will send us back a fully executed original copy.

Letters dated in 2009 from then BOCC Chair Nancy Thellman and then Secretary of Transportation Deb Miller are attached as background information.

Action Required: The BOCC should sign two original copies of the attached document Cancellation of Agreement No. 183-05.

PROJECT NO. 59-23 K-7888-03
GRADING, SURFACING, AND SEEDING
DOUGLAS COUNTY, KANSAS

CANCELLATION OF AGREEMENT

PARTIES: **Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the
"Secretary")

Douglas County, Kansas (the "County")

Collectively referred to as the "Parties."

PURPOSE: The Parties desire to cancel the Original Agreement No. 183-05, Project No. 59-23 K-7888-03 for grading, surfacing and seeding, dated June 1, 2006.

EFFECTIVE

DATE: The Parties mutually agree the Original Agreement and the Project have been cancelled as of the date signed by the Secretary or designee.

IN WITNESS WHEREOF, the Parties have caused this Cancellation of Agreement to be signed by their duly authorized officers.

ATTEST:

DOUGLAS COUNTY, KANSAS

COUNTY CLERK (Date)

(SEAL)

CHAIRPERSON

MEMBER

MEMBER

Kansas Department of Transportation
Secretary of Transportation

By: _____ (Date)
Burt Morey, P.E.
Deputy Secretary and
State Transportation Engineer

PROJECT NO. 59-23 K-7888-03
GRADING, SURFACING, AND SEEDING
DOUGLAS COUNTY, KANSAS

CANCELLATION OF AGREEMENT

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IN WITNESS WHEREOF, the Parties have caused this Cancellation of Agreement to be signed by their duly authorized officers.

ATTEST:

DOUGLAS COUNTY, KANSAS

COUNTY CLERK (Date)

(SEAL)

CHAIRPERSON

MEMBER

MEMBER

Kansas Department of Transportation
Secretary of Transportation

By: _____ (Date)
Burt Morey, P.E.
Deputy Secretary and
State Transportation Engineer

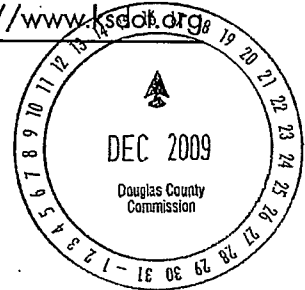
KANSAS
DEPARTMENT OF TRANSPORTATION

Mark Parkinson, Governor
Deb Miller, Secretary

<http://www.ksdot.org>

December 14, 2009

Nancy Thellman, Chair
Board of County Commissioners
Douglas County Courthouse
1100 Massachusetts Street
Lawrence, Kansas 66044-3064



Dear Commissioner Thellman:

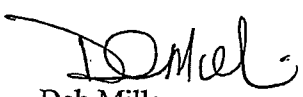
We have reviewed your request to terminate the current agreement between Douglas County and the Kansas Department of Transportation (KDOT) for the extension of East 1326 Road south to County Route 458 (Agreement No. 183-05). Your rationale for delaying extension of this road is appropriate and justified by the flood study transmitted with your letter. Based on the information provided in the study, we approve your request to terminate this agreement.

In accordance with the agreement, KDOT will reimburse Douglas County for the amount spent on consultant design engineering in the effort to complete the project as originally proposed. Upon receipt of the documentation verifying the amount to be reimbursed, we will make the appropriate payment to Douglas County.

When the time comes to consider the extension of East 1326 Road through the Flory tract, we request that you coordinate with the KDOT Corridor Management staff. Due to the proximity of the property to the new interchange at US-59 and County Road 458, we would like to review the location of the proposed access onto County Route 458 with KDOT access management policies.

Thank you for your partnering efforts in accommodating local travel needs while considering individual landowner wishes. If you have further concerns with this agreement, I invite you to contact Corky Armstrong, Engineering Manager – State Road Office, at (785) 296-3901.

Sincerely,


Deb Miller
Secretary of Transportation



DOUGLAS COUNTY COMMISSIONERS

Douglas County Courthouse
1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5268 Fax (785) 832-5148
www.douglas-county.com

November 19, 2009

Debra L. Miller, Secretary of Transportation
Kansas Department of Transportation
Dwight D. Eisenhower State Office Building
2nd Floor, West Wing
700 SW Harrison Street
Topeka, KS 66603-3745

Re: Extension of E 1326 Road in conjunction with US-59 freeway construction

Dear Secretary Miller:

As part of the US-59 freeway construction project, KDOT intends to remove existing US-59 access at N 1056 Road and N 1082 Road. With these accesses removed, E 1326 Road south of N 1100 Road will provide sole access to the Berg Acres subdivision area. In the current Flood Insurance Rate Map (FIRM), the E 1326 Road/N 1100 Road intersection is shown to be below the base (100-year) flood elevation. The extension of E 1326 Road south to Route 458 is required to provide alternate access in the event the N 1100 Road intersection is impassable due to flooding. The road extension would be through property owned by Shirley Flory.

KDOT and Douglas County entered into an original agreement (Agreement No. 183-05) dated June 1, 2006 to extend E 1326 Road south from its current terminus in the Berg Acres area to Route 458. Supplemental Agreement No. 1 to the original agreement, which redefines some terms of the original agreement, has been signed by Douglas County, but has not been executed by KDOT. Under terms of the agreements, Douglas County is responsible for preliminary engineering, construction and construction engineering for the road extension, while KDOT will reimburse the county for 100% of these costs up to a maximum \$294,000. Douglas County is also responsible for right-of-way acquisition, and KDOT is responsible for 100% of right-of-way acquisition costs.

Douglas County sanctioned a flood study this fall to reevaluate the hydraulics for a bridge on N 1100 Road approximately 100 feet east of the E 1326 Road intersection. The intent of the study was to (1) verify the N 1100 Road/E 1326 Road intersection is below the calculated base flood elevation, and (2) determine if channel clearing beneath and near the bridge could lower the base flood elevation to below the elevation of the intersection. The study found that most of the intersection is in fact above the base flood elevation. The study also determined the base flood elevation could be lowered slightly

by channel excavation, but the benefit/cost ratio for this work is very low. A copy of the study is attached.

While the intersection was found to be above the base flood elevation, Douglas County recognizes that does not mean the intersection will never flood. Another ingress/egress from the Berg Acres area is still needed. However, the flood risk is lower than originally thought.

The Shirley Flory property, through which E 1326 Road would be extended, is located in the northeast quadrant of US-59 and Route 458. The US-59 freeway construction project will include an interchange at this location. It seems certain this agricultural property will develop in the future. The extension of E 1326 Road to Route 458 will be required for development of the property.

Shirley Flory and her family currently have no desire to develop this property. They remain opposed to the road's extension, even though it would undoubtedly increase the property's value at no cost to them.

Given the lower risk of flood inundation for the E 1326 Road/N 1100 Road intersection, Douglas County is willing to delay the E 1326 Road extension until the Shirley Flory property is further developed. The cost of the road extension would then be the developer's responsibility, thereby alleviating state and county taxpayers' cost responsibility for the extension.

Douglas County respectfully requests to terminate the original agreement. Douglas County assures KDOT that at such time the Shirley Flory property is developed, we will require the developer to extend E 1326 Road to Route 458. Douglas County is less inclined to force through the road's extension at this time, given the reduced chance of flooding of the E 1326 Road/N 1100 Road intersection.

Douglas County has spent approximately \$29,000 for consultant design engineering services to develop final plans for the road extension. This does not include the cost of the recent flood study. Douglas County respectfully requests reimbursement for preliminary engineering costs. If agreed, we will provide copies of payment vouchers to verify the reimbursement amount.

Sincerely,



Nancy Thellman, Chair
Board of County Commissioners

Cc: Corky Armstrong, P.E., Engineering Manager, State Road Office



DOUGLAS COUNTY PUBLIC WORKS

3755 E. 25th Street
Lawrence, KS 66046
(785) 832-5293 Fax (785) 842-1201
dgcopubw@douglascountyks.org
www.douglascountyks.org

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer
Kevin R. Sontag, P.S., County Surveyor

Date : September 23rd, 2019

Re : Consent Agenda: Consider acquisition of easements for
culvert replacement, Project No. 2018-53.

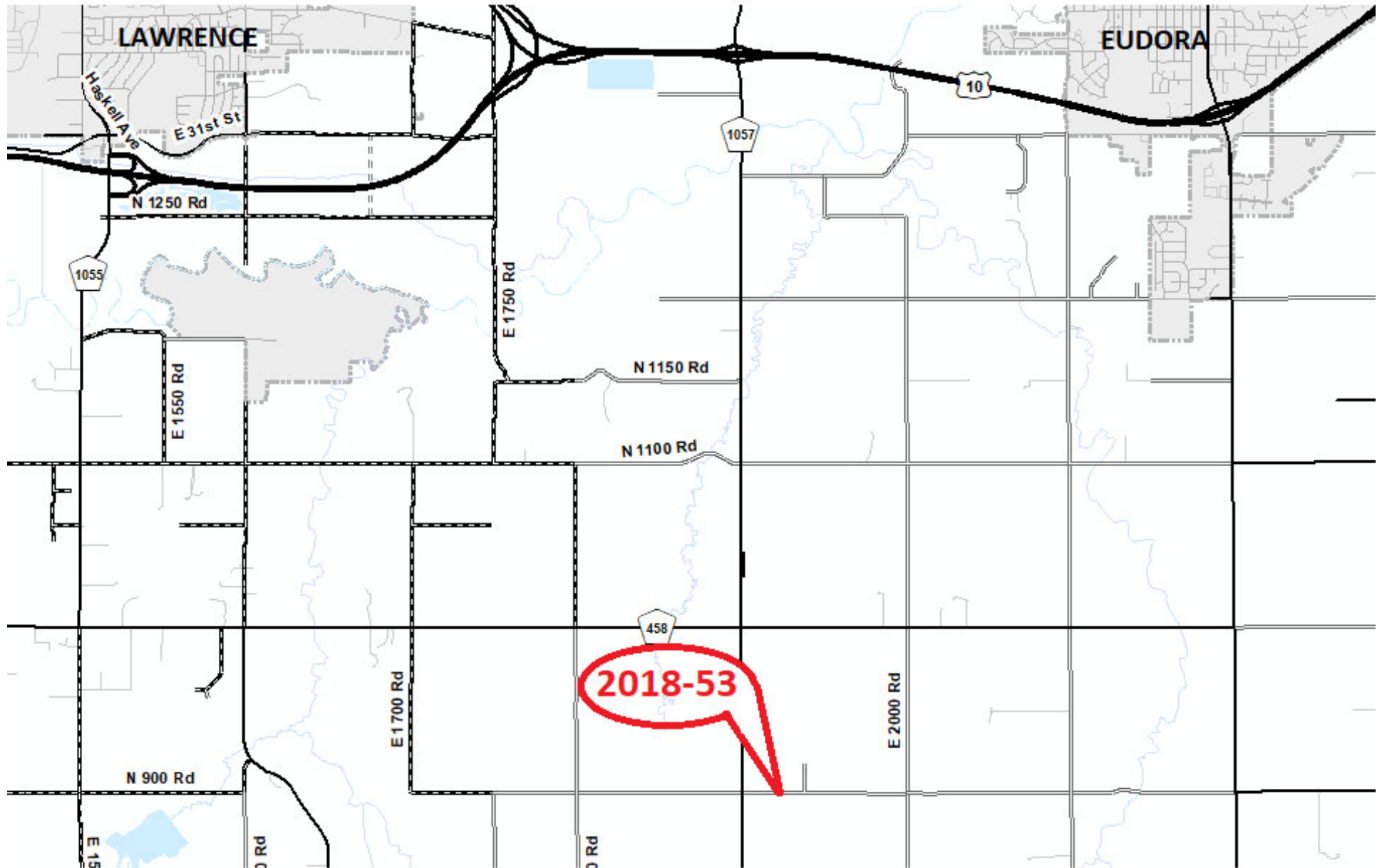
A project has been designed to replace a deficient drainage structure on N 900 Road approximately 5 miles southeast of Lawrence. Plans were developed in-house and negotiations with the landowners for permanent easement and temporary construction easement are complete.

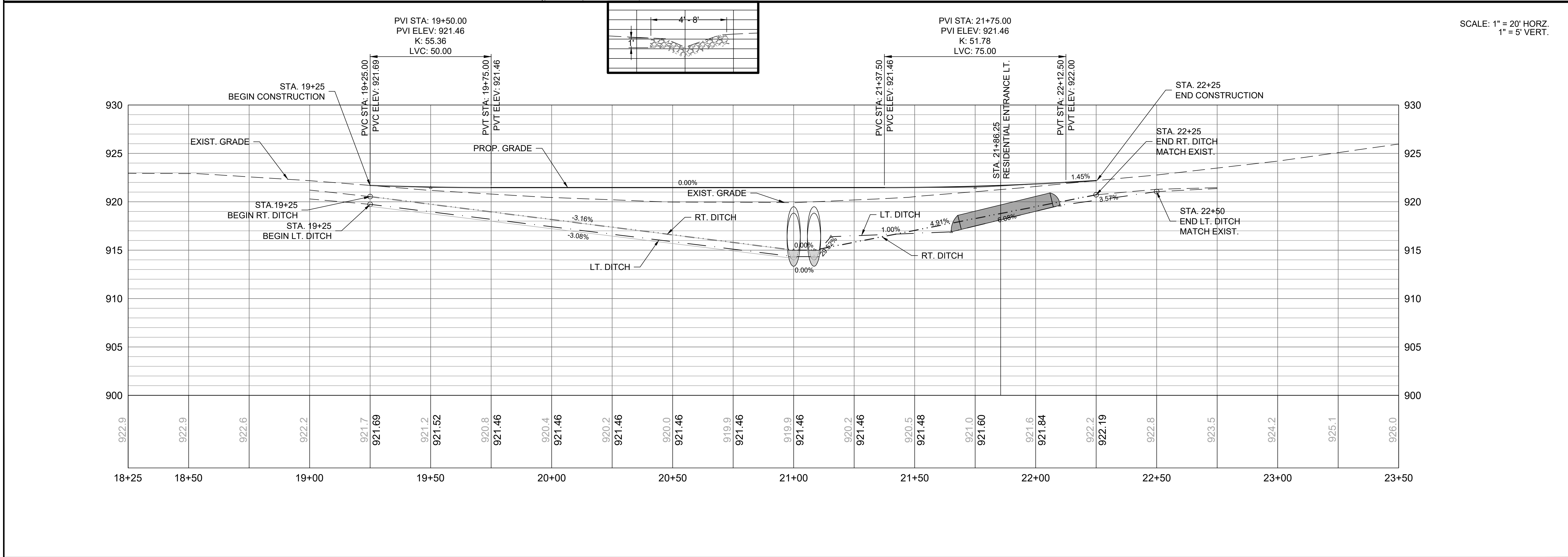
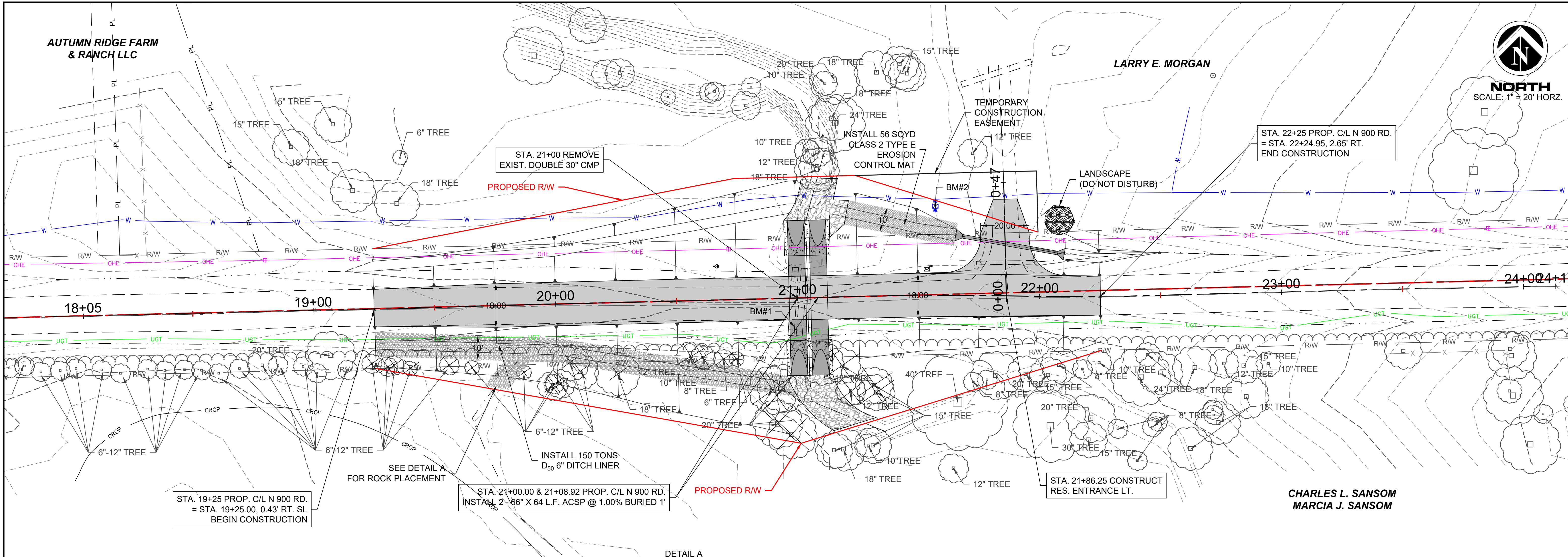
Construction is currently planned to begin spring 2020 and will be accomplished by County personnel.

To ensure the proper completion of a necessary construction project, approval is recommended for the attached CONTRACTS FOR HIGHWAY PURPOSES.

ACTION REQUIRED: Consent agenda consideration for approval of CONTRACTS FOR HIGHWAY PURPOSES for Project No. 2018-53 (Structure No. 09.00N-19.19E).

General Location Map for Project No. 2018-53





August 28, 2019

Derusseau called the Regular Session to order at 5:30 p.m. on Wednesday, August 28, 2019 with all Commissioners present.

PROCLAMATION 08-28-19

Brandon Young, Douglas County Valor Program, recognized Maddox Holiday, 2nd grader at Woodlawn Elementary school as the winner of the First Responder Drawing for 2019, which will be used on the program cover for the Annual Valor Banquet on September 6.

Derusseau read a proclamation honoring September 2019 as First Responder Appreciation Month in Douglas County. A number of representatives from our 18 Douglas County agencies of first responders were present.

PROCLAMATION 08-28-19

Stacie Schroeder and Erica Zimmerman, with Lawrence Habitat for Humanity, gave a short presentation on the history of Habitat for Humanity and Commissioner Kelly read a proclamation celebrating the 30 Year Anniversary.

CONSENT AGENDA 08-28-19

Kelly moved approval of the following Consent Agenda:

- ▶ Commission Order No.19-042 on file in the office of the County Clerk;
- ▶ FY2020 Carryover Reimbursements Plan Budget Summary and Budget Narrative for Criminal Justice Services Adult Community Corrections;
- ▶ Resolution No. 19-26 relocating permanent Road Record No. 553;
- ▶ Contract for Headquarters Counseling Center to serve as the lead agency in convening and implementing Douglas County's Zero Suicide Initiative with a cost not to exceed \$75,000 in year one;
- ▶ The minutes from June 24, 2019; and
- ▶ Accounts payable in the amount of \$261,041.14 to be paid on 08/29/19; and payroll in the amounts of \$1,079,582.11 paid on 08/16/19; and \$1,062,363.43 to be paid on 08/30/19.

Motion was seconded by Thellman and carried 3-0.

APPRAISER 08-28-19

The Board considered the approval of real property disaster relief pursuant to K.S.A. 79-1613 as recommended by the County Appraiser.

Steve Miles, County Appraiser, provided the County Commissioners with 22 applications requesting tax relief under K.S.A. 79-613 for homes with considerable damage and destruction from the May 28, 2019 tornado that hit Douglas County. Of the 22 applications, Miles reviewed and processed 17. The calculated percentage of abatement of the tax was arrived at by determining if the property meets the requirements of the statute, assuming that the land remains as unusable for the purpose intended, and prorating the amount for the time remaining in the current tax year. The abatement only applies to the residential dwelling and does not extend to the detached outbuildings, landscape or land. The estimated dollar amount of the abatement, based on 2018 mill levies, is about \$30,800. Each application was reviewed separately.

Kelly asked Miles if he expects the homeowners to rebuild and repair causing the taxes to be put back in place. Miles responded each year he will value on what is on the property at the time.

Derusseau opened the item for public comment. No comment was received.

Sarah Plinsky, Interim Count Administrator, suggested the Board approve the program. The Commission can report out and monitor the program through the weekly Manager's Report.

Thellman moved to approve the real disaster relief program pursuant to K.S.A. 79-1614 as recommended by the County Appraiser. Motion was seconded by Kelly and carried 3-0.

APPOINTMENTS 08-28-19 – None.**GENERAL PUBLIC COMMENT 08-28-19**

Michael Perryman, 1083 N 1172 Road, stated his property was flooded in the last storm, which is located south of 458 east of the spillway dam. He asked with whom he should have a conversation to prevent this from happening again. He said his property is supposedly not in the floodplain.

Gina Grigaitis, 1136 E 1087 Road, stated she lives near the creek. She was informed the Army Corp of Engineers does not look at the weather report before releasing water from the dam. She feels homes were violated and not taken into consideration. She would like the County Commission to have a joint meeting with those affected by the flooding.

Casey Vangemerer, 1072 N 1172 Road, stated the creek is in his backyard. When the Corp of Engineers let out water at 3000 c.f.s., Washington Creek was already three-fourths full. He feels there is no communication between

the Corp and local emergency agencies and that the Corp of Engineers cannot be reached to control the dam.

It was noted that the Corp of Engineers is under Federal jurisdiction and the County has no legal control over the dam. However, staff took contact information from the speakers.

COMMITTEE REPORTS 08-28-19

- Thellman stated 15 people from the City and County attended the KDOT Local Consult Meeting in Topeka on 08/26/19. The Secretary of Transportation was present. The meeting addressed various counties on safety for county roads. Representatives from Douglas County heard several doable safety suggestions.

COMMISSIONERS AND/OR ADMINISTRATIVE MISCELLANEOUS 08-28-19 **Information Items:**

1. Douglas County Information Technology would like to improve the management of the Commissioners' email. Currently the mailboxes are generally managed with iDevices for iPhone and iPad, which do not allow for full management of the mailboxes. iDevices can only sync the last two weeks of content. Therefore if emails are not deleted from the Inbox within two weeks, they will not show on the iDevice but will still remain in the mailbox. Over time, the mailboxes will fill up, and the user will be prohibited from sending email. The IT department recommended two steps to address the problem. 1) Commissioners periodically use Outlook Web App (<https://dgco.douglascountyks.org/owa>) to manage their mailboxes. This application will show all email in all folders (Inbox, Sent Items, Deleted Items). Using Outlook Web App, Commissioners can delete content no longer needed. Additional folders can also be created that can be used for organization to store emails permanently. Amy Barnes can provide training on how to do this, and 2) Allow the Information Technology department to create rules on the email server to automatically delete content from the Sent Items folder and/or Deleted Items folder on a regular basis. If the Commissioners approve of this method, they need to agree on how long items should be kept in the Sent Items and/or Deleted Items folders.
2. Staff provided an interim legislative update of possible issues facing the 2020 Legislative Session. The League of Kansas Municipalities recommended changes for the 2020 Statement of Municipal Policy.
3. The 2020 budget has been published to the Douglas County Open Budget platform on Socrata. A few things to note about the 2020 budget:
 - Workers Compensation Fund 2018 summary and audited actuals have been updated from prior year.
 - Fund 303 'MH Services Sales Tax .25%' has been added to the dataset extract from ONE Solution. This now shows in both the 2020 recommended and 2020 adopted budget.

- Criminal Justice Services/Youth Services shows operating expenditures out of the general fund for 2020; however, history has been preserved if the user toggles between each fiscal year (i.e. expenditures show in 236 in 2019 but out of 100 in 2020)
 - The difference between the revenue and operating budget is the variance in revenue and expense budgeted in the Register of Deeds Tech fund (603).
4. The agenda packet included for Commission review 1) Bioscience & Technology Business Center board meeting agenda for August 29, 2019 and minutes from the May 9, 2019 meeting; and 2) the Bert Nash Governing Board agenda for the August 27, 2019 meeting.

Open Board Appointments

- Douglas County Food Policy Council (Local food system/Ag Producer) - (2) positions open
- JAAA Advisory Council - (1) position open
- JAAA Board of Directors - (1) position open
- Lawrence-Douglas County Advocacy Council on Aging - (10) open positions
- Joint Economic Development Council – (2) positions open
- Public Building Commission – (1) position open

Derusseau adjourned the meeting at 6:30 p.m.

Michelle Derusseau, Chair

Patrick Kelly, Vice-Chair

ATTEST:

Jamie Shew, County Clerk

Nancy Thellman, Member

September 4, 2019

Derusseau called the Regular Session to order at 5:30 p.m. on Wednesday, September 4, 2019 with all Commissioners present.

PROCLAMATION 09-04-19

Thellman read a proclamation declaring September 8-14, 2019 as Suicide Prevention Week in Douglas County. Karrey Britt, and representatives from the Suicide Prevention Coalition; and Monica Kurtz, Headquarters, were present to support those who struggle and changed by the loss of a loved one to suicide.

CONSENT AGENDA 09-04-19

Thellman moved approval of the following Consent Agenda:

- ▶ Contract in the low total bid amount of \$537,915.15 to Kings Construction Co., Inc. for construction of Project No. 2019-12, improvements to E 1750 Road north of Route 12;
- ▶ Resolution No. 19-27 Disaster Termination Resolution regarding flooding disaster declared by the State of Kansas on August 1, 2019;
- ▶ Construction contract in the amount of \$1,263,894.25 to Hamm, Inc. for Project 2019-06, asphalt patching and overlay work on portions of Route 1029 & Route 438, and authorized the Public Works Director to approve change orders totaling up to 5% of the contract amount; and
- ▶ Accounts payable in the amount of \$410,123.33 to be paid on 09/05/19.

Motion was seconded by Kelly and carried 3-0.

ZONING & CODES/FLOODING BUYOUT PROGRAM 09-04-19

The Board considered flood buyout options and authorizing staff to investigate potential buyouts with affected or interested landowners. Chad Voigt, Deputy Director of Public Works, presented the item.

Because of recent flood events, the County has the option to apply for the Hazard Mitigation Grant Program to remove flood prone structures in Douglas County. Staff has reached out to the Kansas Division of Emergency Management to determine if federal funds are available as a result of the Presidential Disaster Declaration received on June 20, 2019. The County can choose to apply on behalf of the landowner to purchase a floodplain property and remove the structures. The structures and land would then become deed

restricted County property.

General guidelines require any applicant to be located in the 100-year floodplain. The application bases buyout costs on fair market value plus project costs. The program will cover 75% total costs and requires a County 25% match. The match can be in-kind services, such as work by County staff. Project costs can include: a required asbestos inspection and remediation if necessary, closing, demolition costs and County time.

If the County chooses to pursue one or more buyout applications, we would need to determine the source for the 25% match. The match may include in-kind services, an acceptance of lower purchase price by the owner, or contributions to the project by the County Commission. Letters of intent must be submitted to KDEM by October 24, 2019. Selected applications will be submitted to FEMA for official funding in April 2020. Voigt stated there were 3-4 properties he felt had the potential to qualify for services.

Derusseau opened the item for public comment.

Richard Rawlings, Douglas County resident, asked what criteria had to be met to qualify. Voigt responded any property has to be in the floodplain and not necessarily part of the August 1 flood, as it's a statewide program. There is a better chance of receiving funding if there is repetitive loss to structures.

Thellman stated we are working on the assumption that the County contribution to this process is the in-kind service. Voigt said it is actually the project cost. If staff works with the demolition, that is considered in-kind. However, the seller could take all of the difference and there would be no County cash. So the property owner would also be required to contribute to the 25%. The 25% just has to be local. It could be an agency, the owners or a not-for-profit organization.

Kelly asked if staff plans to come back before the Board before any potential buyouts are submitted. Voigt responded he would come back to the before submittals are made in October.

Thellman moved to authorize staff to investigate potential buyouts with affected or interested landowners. Motion was seconded by Kelly and carried 3-0.

EXECUTIVE SESSION 09-04-19

At 5:45 p.m., Commissioner Derusseau moved to recess into executive session for 30 minutes to discuss personnel matters of nonelected personnel in order to protect the privacy of the individual(s) involved. The County Commission will reconvene the open meeting in the County Commission Chamber at 6:15 p.m. Motion was seconded by Thellman and carried 3-0. Attendees included: Commissioners Derusseau, Thellman and Kelly; and Brad Finkeldei, Stevens and Brand.

At 6:15 p.m., Commissioner Derusseau extended the executive session for 30

minutes, to return to regular session at 6:45 p.m.

The Board returned to regular session at 6:45 p.m. No action was taken.

APPOINTMENTS 09-04-19 - None.

GENERAL PUBLIC COMMENT 09-04-19 - None.

COMMITTEE REPORTS 09-04-19

- Thellman attended the following meetings: At LMH with the Care Advisory Committee and discussed the next layers in Behavioral Health initiatives and Zero Suicide.
-

COMMISSIONERS AND/OR ADMINISTRATIVE MISCELLANEOUS 09-04-19
Schedule Items

- Douglas County Suicide Prevention Summit: Saturday, September 14 from 8:30 AM – 12:45 PM at the Lawrence College and Career Center (2910 Haskell Ave.)

Information Items

- October BOCC Meetings. There are five Wednesdays in the month of October. The Commission cancelled the October 30 meeting.
- Register of Deeds Reports – August. The Register of Deeds Office has provided the Commission Report, Activity Report, and General Ledger for August. (Reports attached to the agenda packet.)

Open Board Appointments

- Douglas County Food Policy Council (Local food system/Ag Producer) - (2) positions open
- JAAA Advisory Council - (1) position open
- JAAA Board of Directors - (1) position open
- Lawrence-Douglas County Advocacy Council on Aging - (10) open positions
- Joint Economic Development Council – (2) positions open
- Public Building Commission – (1) position open

Derusseau adjourned the meeting at 6:33 p.m.

Michelle Derusseau, Chair

Patrick Kelly, Vice-Chair

ATTEST:

Jamie Shew, County Clerk

Nancy Thellman, Member

September 11, 2019

Derusseau called the Regular Session to order at 5:30 p.m. on Wednesday, September 11, 2019 with all Commissioners present.

PROCLAMATION 09-11-19

Derusseau read a proclamation declaring September 2019 as Recovery Month in Douglas County. Sandra Dixon, Director of Behavioral Health, and many representatives involved in behavioral health care were present to support the many initiatives offered in Douglas County, Kansas.

CONSENT AGENDA 09-11-19

Thellman moved approval of the following Consent Agenda:

- ▶ Access the MACPP Regional Cooperative Vehicle Contract and the City of KCMO for special equipment with Shawnee Mission Ford in the amount of \$75,253 and paying for this purchase from the equipment reserve fund 60250100 85015;
- ▶ Adoption of Joint City Resolution No. 7296/County Resolution No. 19-28 establishing the Lawrence/Douglas County Joint 2020 Census Complete County Committee;
- ▶ Employment Agreement between the Board of County Commissioners of Douglas County and Sarah Plinsky to fill the position of County Administrator; and
- ▶ Accounts payable in the amount of \$1,696,121.59 to be paid on 09/12/19.

Motion was seconded by Kelly and carried 3-0.

PLANNING 09-11-19

The Board considered SP-19-00313, a site plan for construction of a 4,756 square foot building addition and a change in use from a research facility to a Contractor's Shop, Storage Yard, and Offices. The property contains approximately 3.12 acres and is addressed as 1451 N. 1823 Road. The application was submitted by Paul Werner Architects for Compton Holdings LC, property owner of record. Mary Miller, Lawrence-Douglas County Metropolitan Planning Staff, presented the item.

Staff recommends approval of the site plan based on the following findings:

Per Section 12-319A-5, staff shall first find that the following criteria have been met:

1. **The proposed use is permitted in the district in which the property is located.** This property is zoned I-2 (Light Industrial) District. The proposed uses, Offices and Contractor's Shop and Storage Yard, are permitted in the I-2 District with site plan approval.
2. **The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.** The design of the site was approved with previous site plans and the general layout remains the same. The size of the building will be increased with the replacement of the one-story annex on the west side with a two-story annex with a slightly larger footprint. Twenty-eight additional parking spaces will be added to accommodate the new use. No new exterior lighting is proposed with this plan. Any new exterior lighting will require the submittal of a lighting plan to the Planning office for approval prior to installation.

Access is prohibited from the highway but is taken from the shared drive to the north. While the shared drive to the north is not currently a street, it functions as a street; therefore, trees were required to be planted along the frontage adjacent to the shared drive. Buffering landscaping was added along the south property line to buffer the facility from the cemetery and landscaping in the form of trees and clumps of shrubs were planted along the highway to the west. No additional landscaping is required with this plan, but all landscaping shown on the plan must be provided prior to issuance of a certificate of occupancy.

The change of use includes the addition of exterior storage of construction materials and fleet vehicles. The property is adjacent to the industrial zoning district and uses on the west, north, and east, but is adjacent to the Maple Grove Cemetery on the south. The plan notes that a 6-foot tall wood fence will be installed along the perimeter of the storage area to screen it from the cemetery.

The arrangement of the buildings, lighting, landscaping, and drainage is compatible with adjacent land uses.

3. **The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic not only within the site but on adjacent roadways as well.** No change is being made to the access. The site, as well as other properties along the shared access drive, labeled N. 1823 Road, take access from this drive. N. 1823 Road then provides one access point on the highway.
4. **The site plan provides for the safe movement of pedestrians within the site.** Pedestrian traffic is expected between the parking area and the offices. The parking area is within close proximity to the building entrance

on the west side of the building and a walkway connects the parking area to the building. The remainder of the site will be used for the contractor shop and yard, and pedestrian traffic is not anticipated in this area.

- 5. There is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provides a pleasing appearance to the public. Any part of the site plan not used for building, structures, parking, or access ways shall be landscaped with a mixture of grass, trees, and shrubs.** The Zoning Regulations do not specify an amount of landscape material (trees and shrubs) required for a specific use. The original site was developed with trees and shrubs and the site plan shows this approved landscaping.

The existing and proposed landscaping will result in a development that is in harmony with adjacent land uses and will provide a pleasing appearance to the public.

- 6. All outdoor trash areas are screened.** The outdoor trash areas are shown screened with 6-foot tall wooden fencing.

Conclusion. This application has been reviewed in accordance with the County Zoning Regulations. The proposed site plan, as conditioned, complies with the standards listed in the regulations.

The Commission asked the applicant if the owner would be willing to extend the proposed fencing all along on the south side of the property to screen the cemetery from the storage area. Laticia Cole, Paul Warner Architects, stated the applicant agreed to extend the fence.

Derusseau opened the item for public comment. No comment was received.

Kelly moved to approval of Site Plan, SP-19-00313, for the construction of a 4,756 square foot building addition and a change in use from a research facility to a Contractor's Shop and Storage Yard and Offices with the added condition that the applicant extend the fencing all along the south side of the property to screen the cemetery. Motion was seconded by Thellman and carried 3-0.

APPOINTMENTS 09-11-19 - None.

GENERAL PUBLIC COMMENT 09-11-19 - None.

COMMITTEE REPORTS 09-11-19

- Kelly attended the Affordable Housing Advisory Board meeting. Discussion included splitting RS5 lots. The Planning Commission decided it should go through a Special Use Permit (SUP) process. The

group also approved NOVA for affordable housing funding. In addition, Kelly attended the Human Coalition Board meeting on September 11.

- Thellman attended a meeting with Dr. Ann Jennings, The Anna Institute, on Monday, September 9 and discussed the County's plan for children involved with behavioral health crisis because of their parents.
- Derousseau said she attended the Criminal Justice Coordinating Council meeting on September 10. Jasmin Moore, Director of Sustainability, conducted a presentation on the Kansas Leadership Center training update; and the group discussed that it is the responsibility of the CJCC to come before the County Commission to make recommendations for funding. The council needs to prioritize their projects and present during the budget process.

COMMISSIONERS AND/OR ADMINISTRATIVE MISCELLANEOUS 09-11-19

- The Board recognized Joel Hoeschler, Interim Director of Emergency Management, for his 10 months of service to Douglas County, which included a number of emergencies: a blizzard, two floods, and a tornado. Hoeschler's last day will be Friday, September 13.

Schedule Items

- Lawrence Schools Foundation Community Education Breakfast: Friday, September 20 from 7:30 AM – 9:00 AM at the Lawrence DoubleTree by Hilton (200 McDonald Dr.).

Information Items:

- Long Term Recovery Committee Update. The spreadsheet tracking Douglas County residents in need has been updated and organized. Staff and volunteers contacted those with outstanding needs directly and their needs were categorized in one of two areas: Safe, Sanitary, and Secure (SSS) or Case Management. SSS needs were referred to United Methodist Church for immediate assistance. Case Management needs will be referred to Catholic Charities. On-site Case Management outreach is scheduled for the last week of September.
- KLC 2019 Update. Douglas County received 50 full scholarships to attend Kansas Leadership Center (KLC) leadership training in 2019. Results and reflections have been collected from the attendees and the County is slated to receive additional scholarships in 2020.
- Prime Farmland Soils. Douglas County Appraisal and GIS check State of Kansas and USDA resources, respectively, on an annual basis to see if there are soil taxonomy changes that warrant updates to the Enterprise GIS layer (soils) for use in property agriculture maps and by other departments. There were numerous changes from 2017 to 2018 but none between 2018 and 2019. GIS will be adding a more intuitive layer to the County's Public Property Viewer in coming days to show Prime Farmland soils.

Open Board Appointments

- Douglas County Food Policy Council (Local food system/Ag Producer)
- (2) positions open

- JAAA Advisory Council - (1) position open
- JAAA Board of Directors - (1) position open
- Lawrence-Douglas County Advocacy Council on Aging - (10) open positions
- Joint Economic Development Council – (2) positions open
- Public Building Commission – (1) position open

Derusseau adjourned the meeting at 6:22 p.m.

Michelle Derusseau, Chair

Patrick Kelly, Vice-Chair

ATTEST:

Jamie Shew, County Clerk

Nancy Thellman, Member

September 18, 2019

Derusseau called the Work Session to order at 4:00 p.m. on Wednesday, September 18, 2019 with all Commissioners present.

WORK SESSION 09-18-19

The Board received a presentation on draft Zoning Regulation updates.

Attendees: Commissioners Derusseau, Thellman and Kelly; Tonya Voigt, Co-Director of Zoning & Codes; Mary Miller, Lawrence-Douglas County Metropolitan Planning Staff; Ben Harris, Zoning & Codes; and Sarah Plinsky, County Administrator.

Staff gave a background on the Zoning Regulations and compared our current zoning restrictions for Agricultural use to all surrounding counties including Jefferson, Leavenworth, Shawnee, Osage, Franklin, and Johnson counties.

Highlights and zoning recommendations included:

- Overhauling the 'A' District into a true agricultural/rural preservation district with permitted max densities of no greater than 1 unit per 20-40 acres.
- Make greater use of maximum density as control and density in the rural area.
- Add cluster development regulations and requirements.
- Revised minimum lot area and road frontage standards.
- Zoning Regulation Goals included retaining the rural character of Douglas; protect and preserve rural character through compatible design, conservation, and strong growth management principles;
- Conserve the distinction between urban growth and rural areas through Douglas County.
- Seek conservation of identified natural resources and environmentally sensitive lands that define Douglas County's rural character.
- Identify and adopt appropriate zoning that support rural character and development patterns.
- Minimize agricultural land conversion to nonagricultural uses and high-density residential development outside the UGA.

- Cluster residential development to preserve agricultural lands within urban growth areas.
- Maintain working lands and prime agricultural lands.
- Define environmentally sensitive lands.
- Ensure a variety of appropriate housing options in the rural areas to meet the needs of the rural communities, economy, and agricultural industry.
- Create zoning regulations to provide guidance and protection for the County's historic unincorporated towns.
- Promote development review based on the intensity of use, impact on surrounding lands uses, and impact on public services and transportation systems.

Staff discussed recommended changes to the zoning districts. Three public township meetings will be held to present zoning revisions and receive public comment as follows:

- **October 10, 6:30-8:30 p.m.**, at the Historic Taylor Barn, 1827 E 1150 Road. Encouraged to attend: Residents from Kanwaka, Lecompton and Grant Townships.
- **October 17, 6:00-8:00 p.m.**, at the Wakarusa School, 1104 E 1000 Road. Encouraged to attend: Residents from Clinton, Marion and Willow Springs Townships.
- **October 24, 6:30-8:30 p.m.**, at the Douglas County Zoning and Codes Office, 3755 E. 25th St. Encouraged to attend: Residents from Wakarusa, Eudora and Palmyra Townships.

Preliminary schedule for additional public input:

- November 2019 – Planning Commission Meeting
- December 2019 and January 2020 – Board of County Commission meeting.

The Staff presentation on Zoning Changes are available in the County Commission agenda packet available on the County Website.

CONSENT AGENDA 09-18-19

Kelly moved approval of the following Consent Agenda:

- ▶ Resolution No. 19-29 adopting the Kansas Homeland Security Regional K Hazard Mitigation Plan; and
- ▶ Accounts payable in the amount of \$585,575.36 to be paid on 09/19/19.

Motion was seconded by Thellman and carried 3-0.

APPOINTMENTS 09-18-19– None.

GENERAL PUBLIC COMMENT 09-18-19- None.

COMMITTEE REPORTS 09-18-19

- Thellman attended the Superintendent's meeting and said it was productive and inspiring.

COMMISSIONERS AND/OR ADMINISTRATIVE MISCELLANEOUS 09-18-19

Schedule Items

- Chamber Luncheon: Meet Sarah Plinsky, Douglas County Administrator: Tuesday, October 15 from 11:30 a.m – 1:00 p.m. at Arterra Event Gallery (2161 Quail Creek Drive)

Information Items

- 2018 Real Estate Appraisal/Sales Ratio Study. The Division of Property Valuation of the Kansas Department of Revenue has completed the 2018 Real Estate Appraisal/Sales Ratio Study pursuant to the requirements of K.S.A. 79-1489. The Division reported that the County Appraiser has met the statistical performance standards established for both the commercial/industrial and residential classes of property.
- Lawrence-Douglas County Health Board Packet for September. The Health Board provided the minutes from the August 19 meeting and the agenda for the September 16 meeting.
- Douglas County Interim Legislative Report. Douglas County has been provided an interim legislative update about current topics in the State of Kansas and upcoming local government activities, available on the Douglas County website or upon request in the County Administrator's office.
- With support from the Behavioral Health Leadership Coalition (BHLC), the new behavioral health campus will be named the "Treatment and Recovery Campus of Douglas County." Tier II housing will be called "Transitions" and Tier III will be "The Cottages." The crisis center will be named once programs and services are determined. Working in collaboration with Director of Behavioral Health Projects Bob Tryanski and the BHLC, Communications Specialist Karrey Britt led a six-month naming process that included stakeholders and focus groups with: NAMI Douglas County, First Step at Lakeview, Douglas County Suicide Prevention Coalition, and Bert Nash Community Health Center's Peer Support Group.
- Lawrence-Douglas County Housing Authority Board Meeting for September. LDCHA provided the agenda for the September 23 board meeting, available on the Douglas County website or upon request in the County Administrator's office.

Open Board Appointments

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- Lawrence-Douglas County Advocacy Council on Aging - (10) open positions

- Joint Economic Development Council – (2) positions open
- Public Building Commission – (1) position open

Derusseau adjourned the meeting at 5:34 p.m.

Michelle Derusseau, Chair

Patrick Kelly, Vice-Chair

ATTEST:

Jamie Shew, County Clerk

Nancy Thellman, Member