

**MARION COUNTY
PLANNING COMMISSION & BOARD OF ZONING APPEALS
RECORD OF PROCEEDINGS**

April 26th, 2018

**Members
(Present)**

Jeff Bina
Dwight Flaming
Derek Belton
Jim Schmidt
Mel Flaming
Kathy Inlow
William Kroupa
Marty Dalke

**Members
(Absent)**

Brad Vannocker

**Staff
(Present)**

Emma Tajchman
Sharon Omstead
Russ Ewy

1. **CALL TO ORDER & ROLL CALL**~ Bina called the meeting to order at 7:00pm with 8 members and 3 staff present. Vannocker absent.
2. **APPROVAL OF MINUTES**~ M.Flaming made a motion to approve the March 22, 2018 Record of Proceedings as presented. D.Flaming seconded, motion carried unanimously (8-0).
3. **New Business**~ **Case No. PC-18-02 Application for a Conditional Use Permit, filed by Centre Board of Education, USD 397, to expand grounds and facilities of an established public school at 2382 310th, Lost Springs, Kansas.** Notice of Public Hearing was published on March 28th, 2018. Notification letters were sent to property owners within 1,000 feet of the affected area. There was no outside response from the public. Susan Beeson, Centre School District Superintendent was present for this portion of the meeting. The School Board purchased 14.5 acres to the northeast of the existing facility, adjoining the school's property. Beeson stated there are no current plans for construction on the additional acreage at this time. The additional space would provide for expanding the facility's waste ponds in the future. Discussions amongst the School Board have included an expansion of their school Agricultural program, possibly a small animal facility. No decisions have been made. M.Flaming asked about the school's plans for the grounds in the meantime. Kenneth Shields, previous owner, has an agreement to hay the ground until the school is ready to do something different with it. The school will mow what is not hayed. Kroupa asked what the purpose of applying for a CUP (Conditional Use Permit) is, if the land use will not change soon. He suggested waiting until a change is needed, and then apply for a CUP. Ewy -since land is not always available for purchase when you need it, you have to jump on the opportunity when you can. If they get a CUP now, it allows for accessory use of the school- soccer field, school farm, ancillary buildings, etc. in the future. They need the CUP for assurance that they can use the land for a specific purpose in the future. Tajchman -we have to review the CUP in a year or two to verify the use is consistent with the CUP granted. Kroupa asked about the future wastewater system. Tajchman -all wastewater system changes would have to be approved by KDHE (Kansas Dept of Health and Environment). All state and federal regulations apply to any CUP. Bina opened the discussion to the public. Kenneth Shields, previous owner of the property, spoke about some of the improvements the school has made recently, including clearing out some unnecessary trees. Shields suggested the school could make the grounds more handicapped accessible with the acquired space. Inlow- since this parcel is currently zoned Agricultural, will it be rezoned? Tajchman -no, it will still be zoned Agricultural. The CUP only changes the use, not the zoning. If someone else purchases the land in the future, they would have to apply for a CUP for any other use. Tajchman presented the Staff Report. Based on the criteria set forth in the Staff Report, Tajchman recommends approval to the board. D.Flaming made a motion to recommend approval of

item PC-18-02, the application of Centre School Board of Education, USD 397, to expand grounds and facilities of an established public school at 2382 310th, Lost Springs, Ks. Belton seconded and the motion carried 8-0. This item will go before the County Commissioners on May 14, 2018 for a final decision.

4. **Discussion concerning revisions to the Marion County Planning Commission/ Board of Zoning Appeals Bylaws.** Ewy presented a redline document with draft language for the Board to consider. These suggestions are to cleanup, reorganize, and review the existing bylaws. Bina pointed out that the board is already made up of at-large seats, according to the current resolution/bylaws. If all members are 'at large', it is very possible to have a quorum from one district. Belton- we have been functioning under (the suggested language) out of respect the whole time the board has been in existence. We might as well adopt the language. Regarding Article 1, Section 2- Membership: M.Flaming -I think it is a good idea to have term limits. It gives a person the ability to get familiar with regulations and other matters, but not serve so long that they get stagnant. Belton -it is hard to conduct business when board positions are sitting empty. In the past, we struggled to have a quorum. D.Flaming -there was a while that we did not have meetings regularly. If you are only going to hold one meeting in a year, then what's the point of having this board. Inlow suggested striking the word 'three' (County Commission Districts) in the suggested language. Allowing 3 members from *each* district. If the county were to split into more districts in the future, each district would still have 3 members. Article 1, Section 5- Duties: suggested changing the language regarding the Annual Budget. Article 2, Section 2 -Elections: there was discussion of changing to 'take effect immediately following appointment'. The board agreed to keep the current language, 'take office following the meeting' so the new officer has time to prepare. Article 2, Section 3- Duties: add 'voting' members present (define who is allowed to serve as chair). Discussion about the chairperson's duties regarding the agenda. Article 3, Section 6: Change language, possibly, 'Secretary under the discretion of the Chairperson.' Article 3, Section 9: Parliamentary Procedure -receive and file means any motion made must be recorded in the record of proceedings. You have to create a legal record of final decisions. Item 1 is saying that you cannot make a motion to suppress a piece of information. Item 5: If a testimony gets out of hand, the president has the ability to request the speaker to stop. The speaker may be removed or escorted out by law enforcement if necessary. Bina asked for any other questions or comments. (None) D.Flaming made a motion to approve the noted changes. Belton seconded, motion carried 8-0.

5. **Old Business~ (None)**

6. **Off Agenda Items~**

A CUP application for a scrap recycling facility will come before the board at the next meeting.

7. **Adjournment~** Motion to adjourn made by Schmidt, seconded by D.Flaming. Motion carried unanimously (8-0). Bina adjourned the meeting at 8:11pm.

PASSED and APPROVED (Date) May 24th, 2018



Jeff Bina, Chair

ATTEST:



Emma Tajchman, Secretary