

SEWARD COUNTY BOARD OF COMMISSION

DATE: March 4, 2013
TIME: 5:30 p.m.
CALL TO ORDER: Chair Linenbroker
PLEDGE OF ALLEGIANCE: Chair Linenbroker
INVOCATION: Jack Jacob, Liberal Ministerial Alliance
LOCATION: 515 N. Washington
Commission Chambers
Liberal, KS 67901

PRESENT

COMMISSIONERS: Jim Rice
Ada Linenbroker
CJ Wettstein
Doug LaFreniere
Randy Malin

COUNTY ADMINISTRATION: April Warden (Absent)

CLERK'S OFFICE: Stacia D. Long

CITIZEN COMMENTS: Michael Perry and Richard Vertrees with Aqua Shield Roofing & Construction introduced themselves to the Commissioners and advised that they would like the opportunity to bid on projects for the County.

1. APPROVE AGENDA: ADDITION/DELETIONS

**Vice Chair LaFreniere moved to approve the agenda.
Commissioner Rice seconded the motion; motion carried 5-0.**

2. CONSENT AGENDA

ITEMS	DATE	AMOUNT	NUMBERS
Minutes	February 19, 2013	N/A	N/A
Payroll	March 4, 2013	\$291,865.44	N/A
Payroll (Sage/OK)	March 4, 2013	\$21,359.78	N/A
Vouchers (2012)	March 4, 2013	\$1,894.07	148514-148520

REQUISITIONS

DEPARTMENT	ITEM	VENDOR	AMOUNT	LINE ITEM
County Equipment	14' dump trailer	Hills Truck & Equipment	\$7,680.00	3-330-31100-481

**Commissioner Rice moved to approve the consent agenda.
Commissioner Malin seconded the motion; motion carried 5-0.**

3. NEW EMPLOYEES

No new employees were present for introduction

4. RACE TRACK DISCUSSION

Glenn Thompson discussed a few alterations he would like to make to the race track. He advised that he would like to put the track back to the way it used to be and widen turn 4 and turn 2.

After discussion participated in by all, the following motion was made.

Commissioner Malin moved to allow Mr. Thompson to widen the track the way he needs to for the races. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

Mr. Thompson also mentioned that the first race of the season will be televised and would like permission to use of the County's Bucket Truck for one of the cameras. The commission directed him to visit with Greg Rice to make arrangements.

Permission was given to allow Mr. Thompson to keep his large Front Stretch Victory Circle Sign in the front of the grandstands as long as there are no other events going on.

There was discussion on beer sales in the Grand Stands and the decision was made by consensus that they do not want a vendor selling beer up in the Grand Stands, but that it could be sold in a designated area and taken up to the stands for consumption.

Mr. Thompson was granted permission to put a lock on the hydrant that will be used for watering the track so that it can be monitored more closely. He will visit with the City of Liberal about placing a meter on it as well. Linda Johnson will also have a key.

5. HEALTH DEPARTMENT GRANT

Commissioner Rice moved to approve the agreement between Seward County Health Department and KDHE Aide-To-Local Grant Application. Commissioner Malin seconded the motion; motion carried 5-0.

6. APPEAL DECISION OF ZONING ADMINISTRATOR

APPEAL FROM DECISION OF THE ZONING ADMINISTRATOR

Kent Hamlin with Planning and Zoning advised that an applicant is requesting the board overturn the decision of the Zoning Administrator denying their lot split.

Background: Applicants resided in a mobile home located at 4918 Road P. There are three additional homes located on the existing parcel. This parcel is considered an existing non-conforming parcel because it contains more than the allowed one home per parcel. The home at 4918 Road P was destroyed in a fire on December 28, 2012. According to the Zoning Regulations (28-105) a non-conforming use that has been destroyed cannot be replaced, so a permit to place a new mobile home cannot be issued.

The applicants have purchased a portion of the existing parcel but have not yet filed a deed. If they file the deed without conforming to the lot split requirements, both the parent parcel and the created parcel become classified as “illegal lot splits” and according to the Subdivision Regulations (1-104) no permits can be issued on land that has not been prepared and approved in compliance with the regulations. They have applied for a lot split, which was denied by the Planning & Zoning Officer because the proposed split does not meet all of the Approval Guidelines. Both the parent parcel and the created parcel lack the required road frontage, lack the minimum lot width requirement and exceed the allowed maximum width: depth ratio.

Approval of the lot split would make both the parent parcel and the created lot legal lots and permits can be issued as long as all other requirements are met.

VARIANCE FROM RDMH REQUIREMENT

Juan and Erika Hernandez are requesting a variance allowing them to place a singlewide manufactured home on their lot instead of a Residential Design Manufactured Home as required by the Seward County Manufactured Home and Recreational Vehicle Code.

BACKGROUND: The applicant had a singlewide Mobile Home that was destroyed in a fire on December 28, 2012. They have purchased a 1999 Singlewide manufactured home to replace the home that was lost in the fire. The Seward County Manufactured Home and Recreational Vehicle Code allows singlewide manufactured homes to be placed in a Manufactured Home Park or a Manufactured Home Subdivision, not on individual lots. Manufactured Homes placed on individual lots must be Residential Design Manufactured Homes (RDMH). The Planning & Zoning Department is not authorized to issue a permit for a singlewide manufactured home on this lot unless the County Commission grants a variance to the applicant.

After discussion participated in by all, the following motions were made:

#1

Commissioner Wettstein moved to allow Juan Hernandez and Erika M. Hernandez to place a Mobile Home back on the property at 4918 Road P. Vice Chair LaFreniere seconded the motion; motion carried 4-1 with Chair Linenbroker voting against.

#2

Commissioner Wettstein moved to give a variance on the Mobile home requirement and instead of the required 22 feet width, allow them to put on a 1999 Skyline 16' X 80' singlewide mobile on their lot instead. Commissioner Malin seconded the motion; motion carried 4-1 with Chair Linenbroker voting against.

#3

Vice Chair LaFreniere moved to reverse the Zoning Administrators decision and approve the lot split application. Commissioner Rice seconded the motion; motion carried 4-0 with Chair Linenbroker voting against.

7. EQUIPMENT PURCHASE

Maintenance/fairgrounds

Commissioner Rice moved to allow the purchase of a tractor for the Fairgrounds from Advance Power Distributor's Inc in the amount of \$20,400.00, to be paid for out of the CIP. Commissioner Malin seconded the motion; motion carried 5-0.

8. CREDIT CARDS AS FORM OF PAYMENT

Event Center

Linda Johnson, Event Center Director requested permission to start using the Square to allow her to take payments with a credit/debit card. She advised that there is a 2.7% fee charged for each use, but the fee would be paid for by the vendor and itemized on their receipt.

Commissioner Rice moved to allow the Activity Center to use square card business and charge the fee to the vendor in addition to the regular charge. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

9. ADMINISTRATION COMMENTS

Chair Linenbroker advised the Commission that the Canvass has been rescheduled to this Thursday at 8:00am

10. COMMISSION COMMENTS

Each of the commissioners had an opportunity to report on liaison meetings they had attended during the last two weeks.

Vice Chair LaFreniere advised that he has stepped down from the Chamber Liaison and that Chair Linenbroker has agreed to attend the meetings now.

11. SUGGESSTION CARDS

No suggestion cards were discussed.

ADJOURN

Commissioner Rice moved to adjourn. Commissioner Malin seconded the motion; motion carried 5-0.

The meeting adjourned at 7:18 p.m.

Ada Linenbroker, Chairperson
Seward County Commission

Stacia D. Long
Seward County Clerk