

Term, 19

day of

19

LOCKWOOD CO., INC. REORDER NO. 120102-4-72

August 13, 1975

The Board of County Commissioners of Douglas County met in regular adjourned session with all members of the Board present.

Approved the minutes of the meeting of August 11, 1975.

*Pub. Works:
Contract
Agreement
between
Dg. Co. & Otto
& Agnes Dreher*

Tom McGee, Engineering Division Manager of the Public Works Department, submitted a contract agreement for right-of-way in connection with construction of Bridge No. 11.80N-14.00E between Otto Dreher and Agnes Dreher, husband and wife, and Douglas County. The contract calls for payment to Mr. & Mrs. Dreher of the lump sum of \$879.83 for right-of-way as described in the contract agreement. It was moved by Mr. Whitenight that the Board approve this contract agreement, seconded by Mr. Stoneback, and carried unanimously.

*Ambulance:
Inspection
by Health
Dept.*

The Board noted receipt of a report from the Lawrence-Douglas County Public Health Department relative to an inspection of the Douglas County Ambulance Service on August 4, 1975. The report totally indicated a highly satisfactory condition of the service.

*Bridge Opening:
Bridge & grading
for Consolidated
Project # 75-1.*

At 9:00 a.m., as advertised, the Board received and opened bids for Douglas County bridge and grading for Consolidated Project No. 75-1 which project includes construction of and grading for the following four bridges: 17.27N-10.00E, 17.30N-10.81E, 19.70N-07.39E, and 20.17N-01.00E. A total of seven bids were received for the bridge construction contract and a total of seven bids were received for the combined grading contract. Following opening of the bids and review thereof, the Board requested consultants Finney & Turnipseed and Engineer Sanderson to further review the bids and recommend to the Board their decision. The Board noted that the apparent low bidder on the bridge construction contract was Frisbie Bridge Company with a total figure of \$210,945.50 and the apparent low bidder on the grading contract was Clinkenbeard Construction Company with a bid of \$67,865.03.

*Planning:
Villages request
for CUP
denied*

At 10:00 a.m. the Board considered planning items coming from meeting of planning commission on July 16 and 23, 1975. Mr. Richard McClanathan, Planning Director, first presented to the Board Item #3 of the July 23 planning commission meeting which item refers to the request by The Villages, Inc., for a Conditional Use Permit on an approximate 41 acre tract, generally described as being located West of Wakarusa Township Road No. 216 approximately 1650 feet and South of Douglas County Road No. 458 approximately 1840 feet. Among those commenting were Mr. Lance Burr, representing The Villages, and Mr. Stephen Rhudy, attorney, representing landowners in the immediate area. Following these comments and presentations it was moved by Mr. Whitenight that the Board concur with the planning commission recommendation and approve the Conditional Use Permit. This motion was seconded by Mr. Heck. Mr. Whitenight and Mr. Heck voted "aye" on the motion with Mr. Stoneback voting "nay". Inasmuch as a legally sufficient protest petition had been filed in this matter, applicable statutes require a unanimous vote of the Board to issue a Conditional Use Permit. The issuance of the requested permit was consequently not granted.

*Planning:
Request to
rezone 102 acres
from A to I-2
deferred until
Nov. 5*

Mr. McClanathan then presented to the Board Item #4 of the minutes of the planning commission on July 23, 1975, which item refers to a request for rezoning approximately 102 acres from A (Agricultural) to I-2 (Light Industrial), generally located South of Mud Creek, along the West side of Grant Township Road No. 88, East of U. S. Highway No. 24-59, and approximately 2000 feet North of Douglas County Road No. 23, submitted by Howard F. and Kathryn L. Heck. Mr. McClanathan then reported that the planning commission recommended denial of the item. Mr. Heck abstained from any discussion or voting on this particular item. Attorney George Catt, representing the applicant, requested a continuance of this matter until November 5, 1975. It was moved by Mr. Whitenight that this item be deferred until November 5, 1975, at 10:00 a.m., and seconded by Mr. Stoneback. Mr. Whitenight and Mr. Stoneback voted "aye" on the motion with Mr. Heck abstaining. Motion carried.

*Planning:
Amended
Articles 12 & 13
of the Zoning
Regulations
for the
Unincorporated
Territory of
Dg. Co.*

Mr. McClanathan then presented to the Board Item #13 of the minutes of the planning commission on July 23, 1975, which item relates to a text amendment, amending Articles 12 and 13 of the Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas, as amended, by:

1. Deleting from Section 13-2 the permitted use "Structural iron and steel fabrication".
2. Adding to Section 12-2 as a permitted use "Structural iron and steel fabrication".

*Planning:
Requested Lawi-
Dg. Co. Plan. Comm.
to rezone from
I-3 to I-2
certain property
for Tracy Steel*

After due discussion it was moved by Mr. Stoneback that the Board concur with the recommendations of the planning commission in this matter, seconded by Mr. Whitenight, and carried unanimously. Following this action it was moved by Mr. Whitenight that the Board request the Lawrence-Douglas County Planning Commission to consider rezoning from I-3 to I-2 the following described property: