

Term, 19

day of

19

Personnel: Term
Carol Hess

which will be created by the resignation of Carol Hess, which will be effective November 3, 1978, and her resignation is hereby recorded. After discussion it was moved by Mrs. Bradley that this appointment as recommended be approved, seconded by Mr. Neis, and carried unanimously.

Misc.:

Check rec'd. for damage
to bridge - Cassatt

County Counselor Dan Young appeared before the Board to present a check in the amount of \$2,500 which is a final property damage settlement from Beulah J. Cassatt based upon damage done to a bridge in Douglas County on April 17, 1976. Counselor Young indicates that this amount should be reimbursed to the general fund.

Lone Star: app.
Purchase boat &
motor

Bob Steele, parks supervisor, appeared before the Board to recommend the purchase of a new boat and motor to provide patrolling and services at Lone Star Lake. Quotes were presented on four different motors and boats and after lengthy review it was moved by Mr. Neis that we accept the quote of Apple Valley Boat & Service Center for the following: (1) new 1977 Kingfisher, Model 152, with 50 h.p. Mercury electric starter, including battery, battery box, gas tank, and trailer. The quoted price for this purchase is \$3,486. Motion seconded by Mrs. Bradley, and carried unanimously.

Pub. Works: app.
3 applications

Mike Dooley, public works director, appeared before the Board to recommend the approval of the following applications:

1. Wellsville for
water line
17-15-21

(1) From the City of Wellsville, authority to construct a 3/4-inch copper water line across a Douglas County road at a point approximately 1410 feet north of the southeast corner of Section 17, Township 15, Range 21, in Douglas County, Kansas.

2. SW Bell Tel.
phone cable
22-13-18

(2) From Southwestern Bell Telephone Company, authority to construct 200 pair - 2.42" buried telephone cable across a Douglas County road at a point approximately 2640 feet north & east of the southwest corner of Section 22, Township 13S, Range 18E, in Douglas County, Kansas, and running southwest & northeast through Douglas County.

3. SW Bell Tel.
phone cable
28-13-18

(3) From Southwestern Bell Telephone Company, authority to construct 300 pair - 2.86" buried telephone cable across a Douglas County road at a point approximately 1200 feet south of the southwest corner of the northwest 1/4 of Section 28, Township 13S, Range 18E, in Douglas County, Kansas, and running northwest and southeast through Douglas County.

After discussion it was moved by Mr. Neis that these recommendations be approved, seconded by Mrs. Bradley, and carried unanimously.

Zoning: Deny
Rezoning 742A
Assembly of God
Church

At the advertised hour of 10:00 a.m., the Board reviewed public hearing planning items brought to it from the Planning Commission meeting of September 27, 1978. The items were presented by Director of Planning Roger Hedrick and staff Linda Finger. Also in attendance was Wayne Kellum, zoning administrator. The first item for the Board's consideration was Item No. 10 of the Planning Commission minutes of September 27, 1978, described as 4545 West 23rd Street (Z-7-24-78), a request to rezone from A (Agriculture) to B-3 (Limited Business) approximately 7 1/2 acres generally described as being located on and one quarter mile west of the intersection of Kasold Drive and 23rd Street, the request filed by Lloyd Bilhimer for the Lawrence Assembly of God Church. It was recommended by the planning staff to the Planning Commission that the rezoning request be forwarded to the Board of County Commissioners with a recommendation for denial. After the Planning Commission review that commission voted to forward this item to the County Commission with a recommendation for denial on a 5-3 vote. A lengthy discussion was held giving the applicant and other interested parties ample time to present their views on this question. After discussion was concluded it was moved by Mr. Neis that the item be returned to the Planning Commission for further study. This motion eventually died for lack of a second. Subsequently, it was moved by Mrs. Bradley that the Board approve the recommendation of the Planning Commission for denial of this application for the following reasons:

(1) That the request is not in conformance with the constraints recommended on commercial development in the Clinton Area Mini Comprehensive Plan.

(2) That it is in the best interest of the citizens of Douglas County to resist strongly any temptation to establish a more than four mile strip of commercial establishments from the corner of 23rd and Iowa to the Clinton Lake dam site. That such commercial area as is established along this parkway route should be strictly limited within the constraints of the mini comprehensive plan, good general planning concepts, community aesthetics, and the legitimate needs of business and commerce.

(3) That to have approved this request would have been a step contrary to the policies which have been espoused by the Planning Commission, by this Board, and the citizenry at large through their expression in the mini comprehensive plan.

This motion was seconded by Mr. Whitenight and the issue was carried with Mr. Whitenight and Mrs. Bradley voting for and Mr. Neis voting against.

Zoning: app.
Ban on bottle-
rockets

The next item considered by the Board was Item No. 13, a text amendment to the Zoning Regulations for the Unincorporated Territory of Douglas County pertaining to the banning of the sale or distribution of fireworks, generically known as bottle rockets. This request had been initiated by the Board of County Commissioners based upon a request from the City Commission of the City of Lawrence that the abovenamed fireworks be banned from sale. The item comes forward with a recommendation from the planning staff that the text