

# COMMISSIONERS RECORD 5, DOUGLAS COUNTY

Term, 19

day of

19

May 21, 1979

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 May 17, 1979.

*Personnel: Employ*  
*M. O. Bryon*  
Treasurer Ruth Vervynck appeared before the Board to recommend the employment of Marilyn L. O'Bryon in the position of clerk (auto), at a starting salary of \$511 per month, effective May 21, 1979. After discussion it was moved by Mr. Neis that this recommendation be approved, seconded by Mr. Cragan, and carried unanimously.

*Change*  
*Pestinger to Cook*  
Sheriff Rex Johnson notified the Board that the name of Kim Pestinger should be changed to Kim Pestinger Cook since her marriage on May 5, 1979.

*Employ*  
*R. McKenzie*  
*A. Atkison*  
*G. Cohen*  
Fremont Hornberger, maintenance supervisor, appeared before the Board to recommend employment of the following:

(1) Rance A. McKenzie in the position of custodian, at a starting salary of \$550 per month, effective May 22, 1979.

(2) Arthur N. Atkison in the position of grounds maintenance, at a starting salary of \$550 per month, effective May 23, 1979.

(3) Gigi L. Cohen in the position of custodian, at a starting salary of \$550 per month, effective May 23, 1979.

After discussion on these recommendations it was moved by Mr. Neis that they be approved, seconded by Mr. Cragan, and carried unanimously.

*Misc:*  
*Chk for 1978 grain*  
*10-13-19*  
The Board noted receipt of check in the amount of \$291.72 for the 1978 grain sorgum deficiency payment on the 33 acres in the NW ¼ of SE ¼ in Section 10, Township 13, Range 19 owned by Douglas County.

*Vacate: app.*  
*Petition draining*  
*easement Holiday*  
*Hills #2*  
Gerald Cooley, attorney for the City of Lawrence, requested that the setting of a hearing date to consider a Petition from the City of Lawrence for an order vacating that certain drainage easement located in the City of Lawrence, Douglas County, Kansas, Holiday Hills No. 2, an Addition in the City of Lawrence, Kansas, be rescheduled for 9:00 a.m., on June 4, 1979. It was moved by Mr. Cragan that this request be approved, seconded by Mr. Neis, and carried unanimously.

*Plan. Comm: app.*  
*CWP Dunbar*  
*26-12-20*  
*with 3 cond.*  
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 April 25, 1979. The items were presented by Roger Hedrick, director of planning; Linda Finger, staff member; and David Guntert, staff member. Also in attendance was Wayne Kellum, zoning administrator. The first item for the Board's consideration was Item No. 7 of the Planning Commission minutes of April 25, 1979, which is a request for a Conditional Use Permit for all of the Southwest fractional quarter of Section 26, Township 12 South, Range 20 East of the 6th Principal Meridian, lying East of the West line of the Shawnee Indian Reservation, Douglas County, Kansas, excluding therefrom all property currently being farmed by agricultural tenants of Lessors, to allow for the extraction of sand and gravel from the shore of the Kansas River. The property requested for this use is located approximately three miles east of Lawrence (along 15th Street) and one mile north and the request is from W. A. Dunbar and Son. This item comes forward with a recommendation for approval from the planning staff and approval from the Planning Commission, subject to three conditions. After discussion it was moved by Mr. Cragan that this request for a Conditional Use permit be approved, subject to the following conditions:

- (1) That removal of sand from the 797.5 elevation be allowed, and upon issuance of permits from the Regulatory Functions Branch of the Army Corps of Engineers, additional sand removal allowed by the permits may occur;
- (2) That the access road be designated adjacent to the river (bank) and not on the road directly west of Mr. McElwee's residence; and,
- (3) That the sand and gravel operation not come closer than 200' to the Arden Ott property.

Motion seconded by Mr. Neis and carried unanimously.

*Rezone 78.8 A*  
*from A to A-1*  
*Sloan with 1*  
*cond*  
The next item considered by the Board was Item No. 9, which is a request to rezone from A to A-1, a proposed residential subdivision, approximately 78.8 acres, located two and one-half miles west of Lawrence via Middle Road (County Road 438) and north three-quarters of a mile, on the east side of Township Road 352, requested by Paul Sloan. Roger Hedrick stated that the planning staff changed their recommendation to approval upon further consideration and this item comes to this Board from the Planning Commission with a recommendation of approval with a 6-3 vote. After discussion it was moved by Mr. Neis that the Board approve this rezoning request from A to A-1, subject to the following condition:

- (1) That the final plat be recorded with the Register of Deeds.

Motion seconded by Mr. Cragan and carried unanimously.