



**Board of Riley County  
Commissioners  
Regular Meeting  
Agenda  
May 02, 2024**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

---

**Commission Chambers**

**8:30 AM**

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

1. Public Comments

**Commission Comments**

2. Commission Comments

**Business Meeting**

3. Sign Riley County Employee Action Form(s)
4. Approve payroll/accounts payables (when completed)

**Review Minutes**

5. Board of Riley County Commissioners - Regular Meeting - Apr 29, 2024 6:00 PM

**Review Tentative Agenda**

6. Tentative Agenda

**Press Conference Topics**

7. Discuss Press Conference

**9:00 AM**

**John Ellermann, Public Works Director/County Engineer**

8. EMS Headquarters Drainage Easement/Covenant

**9:05 AM**

**Michael Ude, T-Mobile for Government Account Executive**

9. Community Outreach Program - CPR3 (assisting with low income/homeless population)
10. Network Updates - Infrastructure Investment (Supporting all departments)
11. Emergency Management Team - Deployable in event of natural disaster or emergency

**9:30 AM**

**Anna Burson, Appraiser**

12. Appraiser's Office Staff Report

**9:45 AM****Bob Isaac, Planner**

13. Rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential) and plat said tract and Lot 2 of Bowman Subdivision No. 1 together into a single lot.

**10:00 AM****Amanda Webb, Planning/Special Projects Director**

14. Planning & Development - Staff Update

**10:15 AM****Clancy Holeman, Counselor/Director of Administrative Services**

15. Administrative Work Session

**10:30 AM****Jason Hilgers, Interim Manhattan City Manager**

16. General update City of Manhattan

**Adjournment**

---

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



**COUNTY CLERK & ELECTIONS**  
*Personnel*

**Rich Vargo**  
County Clerk  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## COMMISSION AGENDA REPORT

---

**FROM:** Elizabeth Ward, Human Resources Director

**MEETING:** May 2, 2024

**SUBJECT:** Sign Riley County Employee Action Form(s)

**PRESENTER:** Elizabeth Ward, Human Resources Director

---

**Enclosures:**

- 2024-04 HD LDarrah EAF (DOCX)
- 2024-04 HD KHiebert EAF (DOCX)
- 2024-04 HD TStewart EAF (DOCX)
- 2024-04 HD DMedina-Lorta EAF (DOCX)
- 2024-04 PTosh SW EAF (DOCX)
- 2024-04 LBrock Fire EAF (DOCX)
- 2024-04 BBaer Fire EAF (DOCX)
- 2024-04 NHechler Fire EAF (DOCX)
- 2024-04 CBurenheide Fire EAF (DOCX)
- 2024-04 THatch Fire EAF (DOCX)

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Lauren Darrah**Status Change Date:** 06/10/2024**Status Change:** New Hire**Date of Hire:** 06/10/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** WIC Intern**Position Type:** Temporary**Pay Range:** TASND**Pay Type:** Hourly**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 30 – Health Department, 412 – WIC**Supervisor:** Tasha Drake**Department Head:** Julie Gibbs

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 HD LDarrah EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Kenna Hiebert**Status Change Date:** 05/28/2024**Status Change:** New Hire**Date of Hire:** 05/28/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** RCHD Intern**Position Type:** Temporary**Pay Range:** TASND**Pay Type:** Hourly**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 30 – Health Department, 400 - Health Department General**Supervisor:** Tasha Drake**Department Head:** Julie Gibbs

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 HD KHiebert EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Thereasa Stewart**Status Change Date:** 07/19/2024**Status Change:** Separation**Date of Hire:** 07/19/2024**Seniority:** 6 Year(s), 9 Month(s)**Position:** Reproductive Health Nurse Practitioner **Position Type:** Full Time**Pay Range:** FF**Pay Type:** Salary**Base Rate:** \$6730.11**Annualized Pay:** \$174,982.86**Funds Codes:** 30 – Health Department, 421 – HD-Family Planning**Supervisor:** Jacob Clarke**Department Head:** Julie Gibbs

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 HD TStewart EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Daphne Medina-Lorta**Status Change Date:** 04/29/2024**Status Change:** Promotion**Date of Hire:** 01/16/2024**Seniority:** 0 Year(s), 3 Month(s)**Position:** Bilingual MCH Home Visitor Assistant**Position Type:** Temporary**Pay Range:** 8**Pay Type:** Hourly**Base Rate:** \$22.21**Annualized Pay:** \$7,995.60**Funds Codes:** 30 – Health Department, 423- HD MCH**Supervisor:** Breva Spencer**Department Head:** Julie Gibbs

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 HD DMedina-Lorta EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Paul Tosh**Status Change Date:** 05/10/2024**Status Change:** Separation**Date of Hire:** 05/10/2024**Seniority:** 2 Year(s), 0 Month(s)**Position:** Solid Waste Operator II**Position Type:** Full Time**Pay Range:** Range 7**Pay Type:** Hourly**Base Rate:** \$23.98**Annualized Pay:** \$49,878.40**Funds Codes:** 150 – Solid Waste, 150 – Solid Waste**Supervisor:** Evan McMillan**Department Head:** John Ellerman

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 PTosh SW EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Logan Brock**Status Change Date:** 04/30/2024**Status Change:** Separation**Date of Hire:** 04/30/2024**Seniority:** 0 Year(s), 11 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglas Russell**Department Head:** Russel Stukey

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 LBrock Fire EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Brynn Baer**Status Change Date:** 04/30/2024**Status Change:** Separation**Date of Hire:** 04/30/2024**Seniority:** 1 Year(s), 7 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglas Russell**Department Head:** Russel Stukey

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 BBaer Fire EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Nathaniel Hechler**Status Change Date:** 04/30/2024**Status Change:** Separation**Date of Hire:** 04/30/2024**Seniority:** 2 Year(s), 10 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglas Russell**Department Head:** Russel Stukey

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 NHechler Fire EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Cole Burenheide**Status Change Date:** 04/30/2024**Status Change:** Separation**Date of Hire:** 04/30/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglas Russell**Department Head:** Russel Stukey

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 CBurenheide Fire EAF (14709 : Employee Action Form (Green Sheet))

## RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

**Full Legal Name:** Tyson Hatch**Status Change Date:** 04/30/2024**Status Change:** Separation**Date of Hire:** 04/30/2024**Seniority:** 4 Year(s), 0 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglas Russell**Department Head:** Russel Stukey

BoCC Chair \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

BoCC Member \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: 2024-04 THatch Fire EAF (14709 : Employee Action Form (Green Sheet))



**Board of Riley County  
Commissioners  
Regular Meeting  
TENTATIVE Agenda  
May 06, 2024**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

**Commission Comments**

**Business Meeting**

1. Discuss Good Morning Manhattan
2. National Historic Preservation Month Proclamation

**Review Minutes**

**Review Tentative Agenda**

**Press Conference Topics**

**9:00 AM**

**Clancy Holeman, Counselor/Director of Administrative Services**

3. Administrative Work Session

**9:20 AM**

**Rich Vargo, County Clerk**

4. Preservation of Ballots and Election Records

**9:30 AM**

**Press Conference**

5. Presentation of retirement plaque to David Hughes - John Ford (3-5 minutes)
6. Presentation of a National Historic Preservation Month Proclamation - John Ford and Katharine Hensler (3-5 minutes)
7. RCPD Update - Greg Steere (3-5 minutes)

**10:00 AM**

**Russel Stukey, Emergency Management Director**

8. Staff update

**10:15 AM**

**Elizabeth Ward, Human Resources Director**

9. Employee Procedures Manual

Attachment: 05-06-24 tentative agenda (14199 : Tentative Agenda)

- 11:00 AM**      **Gina Snyder, Downtown Manhattan Director**  
 10.      2025 Downtown Manhattan Inc. Appropriation Request
- 11:15 AM**      **Jared Tremblay, Flint Hills MPO Planning Manager**  
 11.      2025 MPO Appropriation Request
- 11:30 AM**      **Katharine Hensler, Museum Director**  
 12.      2025 Riley County Historical Museum Budget Request
- 1:15 PM**      **Anna Burson, Appraiser**  
 13.      2025 Appraiser's Budget Request
- 1:30 PM**      **Ginny Petersen, Riley County Genealogical Society**  
 14.      2025 Riley County Genealogical Society Appropriation Request
- 1:45 PM**      **Shilo Heger, Treasurer**  
 15.      2025 Treasurer, Motor Vehicle, & Treasurer Tech Fund Budget Requests
- 2:00 PM**      **Michael Rezkalla, Pawnee Mental Health Services Director**  
 16.      2025 Pawnee Mental Health Services Appropriation Request
- 2:15 PM**      **Barry Wilkerson, County Attorney**  
 17.      2025 Riley County Attorney Budget Request
- 2:30 PM**      **Jason Smith, Manhattan Area Chamber of Commerce Director**  
 18.      2025 Chamber of Commerce Appropriation Request
- Adjournment**

---

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 05-06-24 tentative agenda (14199 : Tentative Agenda)



**Board of Riley County  
Commissioners  
Regular Meeting  
TENTATIVE Agenda  
May 09, 2024**

115 North 4th Street  
Manhattan, KS 66502  
[www.rileycountyks.gov](http://www.rileycountyks.gov)

Cindy Kabriel  
785-565-6200

**Commission Chambers**

**8:30 AM**

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

**8:30 AM**

**Call to Order**

**Pledge of Allegiance**

**Public Comment**

**Commission Comments**

**Business Meeting**

1. Discuss Joint City/County/County Meeting

**Review Minutes**

**Review Tentative Agenda**

**Press Conference Topics**

**9:00 AM**

**Clancy Holeman, Counselor/Director of Administrative Services**

2. Administrative Work Session

**9:20 AM**

**Break**

**9:30 AM**

**Shilo Heger, Treasurer**

3. Monthly Revenue Reports

**9:45 AM**

**Jason Smith, Manhattan Area Chamber of Commerce**

4. Economic development update

**10:00 AM**

**Julie Gibbs, Health Department Director**

5. Staff update

**10:30 AM**

**Budget and Planning Committee - Brittany Phillips, Budget and Finance Officer**

6. Monthly Cash Flow Reports

**10:40 AM**

**Elizabeth Ward, Human Resource Director**

Attachment: 05-09-24 tentative agenda (14199 : Tentative Agenda)

7. Human Resources update

**10:55 AM Michael Boller, Noxious Weed/HHW Director**

8. Staff update

**11:15 AM Amanda Webb, Planning/Special Projects Director**

9. 2025 Planning and Development Budget Request

**11:30 AM Judge Bannister, District Court**

10. 2025 District Court Budget Request

**11:45 AM David Adams, EMS/Ambulance Director**

11. 2025 EMS/Ambulance Budget Request

**2:05 PM Megan Lewis, Community Corrections Interim Director**

12. 2025 Community Corrections Budget Request

**2:20 PM Julie Gibbs, Health Department Director**

13. 2025 Health Department Budget Request

**2:35 PM John Ellermann, Public Works Director/County Engineer**

14. 2025 Public Works, County Building, Auction Budget Requests

**Adjournment**

---

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 05-09-24 tentative agenda (14199 : Tentative Agenda)



**PUBLIC WORKS**  
*Easement*

**John Ellermann**  
Public Works  
Director/County Engineer  
6215 Tuttle Creek Blvd  
Manhattan, KS 66503  
Phone: 785-537-6330

## COMMISSION AGENDA REPORT

---

**FROM:** John Ellermann, PE, Public Works Director  
**MEETING:** May 2, 2024  
**SUBJECT:** EMS Headquarters Drainage Easement/Covenant  
**PRESENTER:** John Ellermann

---

### **BACKGROUND**

The EMS Headquarter Station is nearing the construction stage. One final step in receiving the building permit to begin construction is a drainage easement and covenant to maintain the drainage system installed.

### **DISCUSSION**

Discussion of the drainage easement and restrictive covenant.

### **FISCAL IMPACT**

Unknown at this time what maintenance of the drainage system will entail.

### **RECOMMENDATION(S)**

It is recommended to sign the Drainage Easement and Restrictive Covenant.

### **POSSIBLE MOTION(S)**

Move to approve the drainage easement and restrictive covenant for the EMS Headquarters Station.

Move to deny the drainage easement and restrictive covenant for the EMS Headquarters Station.

Move to modify

Move to table

No action required.

The Board agreed by consensus to

**Enclosures:**

- Riley County EMS Drainage Covenant 4.23.24\_Corrected (PDF)
- DRAINAGE EASEMENT (PDF)

**AGREEMENT CREATING A RESTRICTIVE  
COVENANT ON REAL ESTATE**

**THIS AGREEMENT** is hereby entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between the Board of Riley County Commissioners (Owner), and the City of Manhattan, Kansas, a municipal corporation (City).

**WHEREAS**, Owner is the sole owner of property as described on the Warranty Deed recorded in Book 273, Page 453, in the Office of the Register of Deeds, Riley County, Kansas (Property) and desires to develop the Property in compliance with all laws, ordinances, rules, regulations and policies of the City; and,

**WHEREAS**, the City's regulations require development of the Property to include the construction of a Storm Water Detention Facility, Post Construction BMPs and underground stormwater conveyance facilities (collectively, the "Drainage Facilities") for the purposes of accepting, retaining, purifying and transporting water that naturally flows from and through the Property; and,

**WHEREAS**, the Owner has granted the City a Drainage Easement, dated the \_\_ day of \_\_\_\_\_, 2024; and,

**WHEREAS**, in order to encourage the City to allow development of the Property, and in order to assure compliance with the City's ordinances, standards, policies, and specifications (collectively, "City Requirements") Owner has executed

this Agreement, creating a restrictive covenant binding upon the Property, and enforceable by the City.

**NOW THEREFORE**, in consideration for the City of Manhattan accepting the Drainage Easement, the Owner hereby covenants with the City, as follows:

1. Owner agrees to construct, reconstruct, repair and maintain, the Drainage Facilities within the Drainage Easement and in accordance with the City Requirements that the City deems necessary for the Drainage Easement to meet its purpose of accepting, detaining, treating and transporting water that naturally flows from and through the Property. Prior to commencement of construction, Owner, or its contractor, shall submit plans and specifications to the City Engineer or designee for review and approval. The City Engineer or designee shall review such plans and specifications in good faith and in an expeditious manner, and shall promptly notify the Owner and its contractor of the sufficiency of the proposed structures and improvements to meet the purposes of the Drainage Easement and to comply with the City Requirements, and shall further notify Owner and its contractor of any necessary changes. The City shall be entitled to inspect the construction for compliance with City Requirements. Owner shall be deemed in compliance with this Paragraph when the City has approved construction in accordance with the City Requirements.

2. The parties acknowledge that Owner is entitled to use, and control the use of, the portions of the Property where the Drainage Easement are located for purposes other than the stated purpose of the Drainage Easement, so long as

the additional use does not interfere with the purposes of such easement. The City shall have no obligations regarding the use of the portions of the Property where the Drainage Easement is located, or the control of that use, other than to enforce the Drainage Easement. Nothing contained herein shall be deemed to place any responsibility upon the City regarding the Drainage Easement or the Property, other than the obligations, as may be imposed by law, to enforce and preserve the public's rights related to the Drainage Easement.

3. Owner shall be responsible for maintaining the Drainage Easement so that it adequately and appropriately fulfills its purpose, and so that it is not in violation of any City standard, policy, or specification.

4. If Owner fails to construct, reconstruct, maintain, or repair within the Drainage Easement, the City may serve a written Notice of Delinquency. The Notice of Delinquency shall include a statement describing the obligation that has not been fulfilled and shall grant twenty (20) days for the Owners to fulfill the obligation. If the obligation is not fulfilled within the time specified, the City, to ensure proper functioning of the Drainage Facilities and Drainage Easement, or to prevent the Drainage Facilities from becoming a nuisance, may perform the obligations listed in the Notice of Delinquency. All costs incurred by the City in carrying out such obligations may be assessed as a special assessment against the Property and may be established as liens upon the parcel. The exact amount of such special assessments shall be determined by the City Commission, and shall be certified by the City Clerk to the County Clerk, at the same time of certifying

other city taxes to the County, and the County Clerk shall be permitted to extend the same on the tax roll of the County as special assessments against the Property, and they shall be collected by the County and paid to the City as other city taxes are collected and paid. The City may attempt to collect such costs from the Owner, or its successors or assigns, prior to such special assessments against the Property; however, the City shall not be obligated to do so. Should the Owner, its successors or assigns, upon receipt of said Notice of Delinquency believe that the obligations described in said Notice of Delinquency are not proper for any reason, they may, within the twenty-day period, apply for a hearing before the governing body of the City, to appeal such Notice of Delinquency. The decision by the governing body of the City shall be final regarding the obligations set forth in such Notice of Delinquency.

5. Any Notice to Owner required, or permitted, hereunder shall be provided by regular mail, addressed to the following:

Riley County  
110 Courthouse Plaza  
Manhattan, KS 66502

Owner shall be responsible for notifying the City of any change in such address.

6. The covenant set forth herein shall be deemed to run with the Property and shall be binding upon Owner, its successors and assigns.

7. This covenant shall be enforceable by the City. The covenant shall not be amended or removed from the Property, without the written consent of the Governing Body of the City of Manhattan.

**IN WITNESS WHEREOF**, the parties have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**OWNER:**

**BOARD OF RILEY COUNTY COMMISSIONERS**

**BY:** \_\_\_\_\_  
**John Ford,**  
**Chairman**

**CITY OF MANHATTAN**

**BY:** \_\_\_\_\_  
**Wynn Butler,**  
**MAYOR**

**ATTEST:** \_\_\_\_\_  
**BRENDA K. WOLF, CMC**  
**CITY CLERK**

ACKNOWLEDGEMENT

STATE OF KANSAS, COUNTY OF RILEY, SS:

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024,  
before  
me the undersigned, a notary public in and for the state and county aforesaid,  
came **John Ford, Chairman of Riley County, Kansas**, and who is personally  
known to me to be the same person who executed the foregoing Agreement  
Creating a Restrictive Covenant on Real Estate, and such person duly  
acknowledged the execution of the same on behalf of said **County**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
notarial seal on the day and year last above written.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(printed name)

My appointment expires:

ACKNOWLEDGEMENT

STATE OF KANSAS, COUNTY OF RILEY, SS:

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024,  
before  
me the undersigned, a notary public in and for the state and county aforesaid,  
came **Wynn Butler**, Mayor, and **Brenda K. Wolf**, City Clerk, of the City of  
Manhattan, and who are personally known to me to be the same persons who  
executed the foregoing Agreement Creating a Restrictive Covenant on Real  
Estate, and such persons duly acknowledged the execution of the same on behalf  
of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
notarial seal on the day and year last above written.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(printed name)

My appointment expires:

## DRAINAGE EASEMENT

THIS EASEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between by and between the Board of Riley County Commissioners (Grantor), and the City of Manhattan, Kansas, a municipal corporation (Grantee).

NOW, THEREFORE, In consideration of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, the Grantor hereby grants and conveys to the Grantee, its successors and assigns, a permanent drainage easement for the purpose of constructing, reconstructing, maintaining, and repairing such structures and improvements that are determined by the City to be necessary to facilitate the flow of storm water over, across, under, and through the following described real estate:

**A tract of land in the Southeast Quarter of Section 12, Township 10 South Range 7 East of the Sixth Principal Meridian, City of Manhattan, Riley County, Kansas described as follows:**

**Beginning at a point that is N 00°52'39" W 855.42 feet and S 89°07'21" W 895.55 feet from the Southeast Corner of the Southeast Quarter of said Section 12; thence  
N 45°26'15" W 73.41 feet; thence  
N 44°33'45" E 50.10 feet; thence  
S 45°26'15" E 61.30 feet; thence  
S 44°33'45" W 19.00 feet; thence  
S 45°26'15" E 7.12 feet; thence  
S 44°33'45" W 11.36 feet; thence  
S 45°26'15" E 4.99 feet; thence  
S 44°33'45" W 19.74 feet to the point of beginning, containing  
3,391 square feet.**

**Subject to easements and restrictions of record.**

AND, for the sole purpose of reasonable ingress to and egress from the above-described permanent drainage easement, an easement over, across, under, and through the following described real estate:

**A strip of land, 22.0 feet in width, in the Southeast Quarter of Section 12, Township 10 South Range 7 East of the Sixth Principal Meridian, City of Manhattan, Riley County, Kansas, the center line of which is described as follows:**

Attachment: DRAINAGE EASEMENT (14727 : EMS HQ Drainage Easement/Convenant)

Beginning at a point that is N 00°52'39" W 981.41 feet and S 89°07'21" W 675.45 feet from the Southeast Corner of the Southeast Quarter of said Section 12; thence S 89°35'29" W 161.97 feet; thence S 89°19'35" W 66.69 feet; thence On a curve to the left with a radius of 33.50 feet, an arc distance of 69.79 feet, chord being S 22°26'20" W 57.83 feet; thence S 45°26'07" E 1.69 feet and thence terminating

Subject to easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has executed this easement on the day and year first above written.

#### BOARD OF RILEY COUNTY COMMISSIONERS

BY: \_\_\_\_\_

**John Ford,**  
Chairman

#### ACKNOWLEDGEMENT

STATE OF KANSAS, COUNTY OF RILEY, SS:

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me the undersigned, a notary public in and for the state and county aforesaid, came **John Ford, Chairman of Riley County, Kansas**, and who is personally known to me to be the same person who executed the foregoing Agreement Creating Restrictive Covenant on Real Estate, and such person duly acknowledged the execution of the same on behalf of said **County**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(printed name)

My appointment expires:



**OUTSIDE AGENCY**  
*Presentation*

**Outside Agency**  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## MEMORANDUM

---

**FROM:** Monique Miller, T-Mobile Government Specialist

**MEETING:** May 2, 2024

**SUBJECT:** Community Outreach Program - CPR3 (assisting with low income/homeless population)

**PRESENTER:** Michael Ude, T-Mobile Local Account Executive for Kansas

---

Enclosures:

- CPR3 (JPEG)



The homeless population faces daily challenges to find basic needs like food and shelter as well as healthcare, employment and community services. Without access to the Internet, text, voice or email the homeless population struggles to connect with the resources they desperately need. We can help.

## CPR<sup>3</sup> - A Convenient, Handheld Solution for Connecting People to Resources

### 1. Unlimited Communication

- Provides access to mental health, food, shelters, employment, education, healthcare and other critical resources
- Ensures consistent, reliable 24x7 voice & text communication with family and friends, reducing isolation

### 2. Unlimited Internet Access

- Pre-loaded apps and weblinks reduce stress, provide the information they need most, at their fingertips
- Includes unlimited internet access for viewing the CPR<sup>3</sup> screen, plus unlimited access for up to 8 other devices from the CPR<sup>3</sup> hotspot

### 3. CPR<sup>3</sup> Device, Software & Management Portal

- The CPR<sup>3</sup> device is the most portable, easy-to-use handheld computer, perfect for everyone at all tech levels.
- The CPR<sup>3</sup> software streamlines the process to remotely pre-load applications and weblinks.
- CIPA filtering available upon request





**OUTSIDE AGENCY**  
*Presentation*

**Outside Agency**  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## MEMORANDUM

---

**FROM:** Monique Miller, T-Mobile Government Specialist

**MEETING:** May 2, 2024

**SUBJECT:** Network Updates - Infrastructure Investment (Supporting all departments)

**PRESENTER:** Michael Ude, T-Mobile Local Account Executive for Kansas

---

Enclosures:

- control center (PDF)
- AUCTION 108 SPECTRUM (PNG)
- smart cities 2 (PNG)

## EXECUTIVE BRIEF

# IoT Management Platforms

Finding the right partner and platform is critical to business success.

Every IoT business is looking to fast-track innovation, scale quickly and control costs while adapting to constant change, but the odds seem stacked against them.

## Top 5 Most Common Challenges Today's IoT Businesses Face

1. Manually deploying and configuring hundreds – or even thousands – of devices kills speed to market.
2. Controlling costs with unpredictable spending seems impossible.
3. Identifying malfunctioning devices and troubleshooting takes too long when technicians are thousands of miles away.
4. Managing the IoT threat landscape and preventing fraud is overwhelming and stressful.
5. Scaling connected services and devices across many diverse locations is no easy feat.

Thriving under such extreme circumstances requires informed decisions and fast pivots inspired by accurate data and analytics.

## An IoT Management Platform Is a Gamechanger

Keeping invaluable data and insights at your fingertips through an IoT management platform allows you to deploy, manage and optimize IoT device connectivity at scale. Global visibility into and control over your IoT business – from anywhere – will help you grow recurring revenue, lower operational costs and elevate customer experiences.

With so many IoT device management platforms available, here are the essential capabilities to look for:

- **Data usage monitoring all day**, every day and near real-time metrics so you know immediately when something's amiss and you can fix it fast.
- **Analytics with historical and trending data usage** provided so you can catch overages before they happen and eliminate unpredictable spend.
- **Remote diagnostic tools** so your technicians can identify problems, diagnose the root cause and initiate corrective action from anywhere.
- **Built-in security features** like Multi-factor Authentication (MFA) to protect access to the IoT management platform and International Mobile Equipment Identity (IMEI) whitelisting to limit access to devices.
- **One-time implementation** with the ability to expand into new markets and scale all over the globe.

## Explosive Growth in IoT and 5G

# 3X

The global IoT market will triple its revenue in the next ten years.

# \$621B

The total IoT market worldwide will reach to \$621B by 2030.

# 29B

There will be more than 29 billion IoT devices in the next seven years.

# 2026

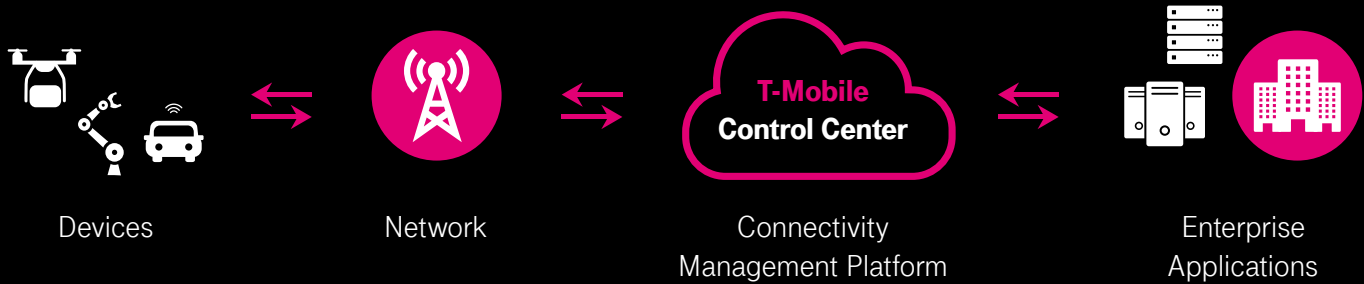
The 5G IoT market is predicted to double by 2026.

# 66%

of enterprises are using or plan to use 5G connections this year.

Attachment: control center (14724 : Network updates T-Mobile)

Accelerate your business growth with **the T-Mobile Control Center**. Connect easier, see everything and scale faster with 360-degree visibility into your IoT solutions.



### Go to market faster.

Configure rate plans, order devices, integrate APIs and create communication plans with an integrated portal, backend self-service tools and an accelerated launch plan.



### Lower your Total Cost of Ownership.

Prevent overages and control costs with real-time usage monitoring, diagnostics and self-service support.



### Increase operational efficiency.

Eliminate manual processes with automation rules for connectivity management and troubleshooting.



### Decrease the risk of tampering and misuse.

Detect unusual device behavior, stop rogue activity and prevent unauthorized access with multi-layered security and an intuitive user interface.



### Control everything from anywhere.

Choose the network service type and device, select from various billing models and decide how and when devices are provisioned.

**Get everything you need in one powerful platform** backed by a deep bench of IoT experts and a dedicated technical account manager — all ready to enable your vision to come to life.

**Innovation takes an ecosystem.  
Make your IoT ambitions a reality with  
T-Mobile Wholesale.**

See what we can do for you. **Let's talk.**



Scan to learn more  
about our IoT solutions.

# T-Mobile Activates Auction 108 Spectrum, Expect 5G Boost in Coming Days

10.b

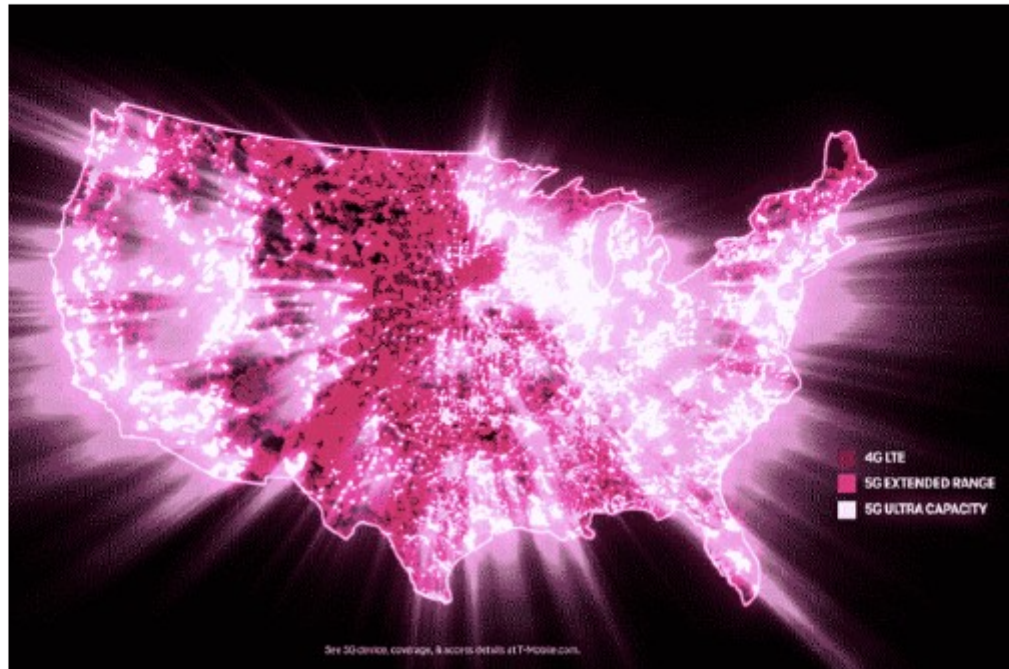
March 6, 2024

Christine Canencia

1 Comment

[Tweet](#)

[Like](#)



T-Mobile has great news for its customers and investors. After years of waiting, the Un-carrier has finally activated the 2.5GHz spectrum that it won in auction 108 in 2022.

Now that the spectrum has been activated, it is able to expand its Ultra Capacity 5G coverage to various communities. It also helps increase Ultra Capacity 5G bandwidth in several places in the country, even in rural areas. What this means is that you should expect to see an immediate performance boost once the spectrum comes online in the next few days.

T-Mobile's CEO, Mike Sievert, said:

“Thanks to years of planning, T-Mobile is ready to put this spectrum to use right now for millions of our customers, delivering game changing Ultra Capacity 5G to more people and increasing speed and performance for others. This type of execution is exactly why T-Mobile is the new network leader in the U.S., and we continue to give customers the greatest value at the same time.”

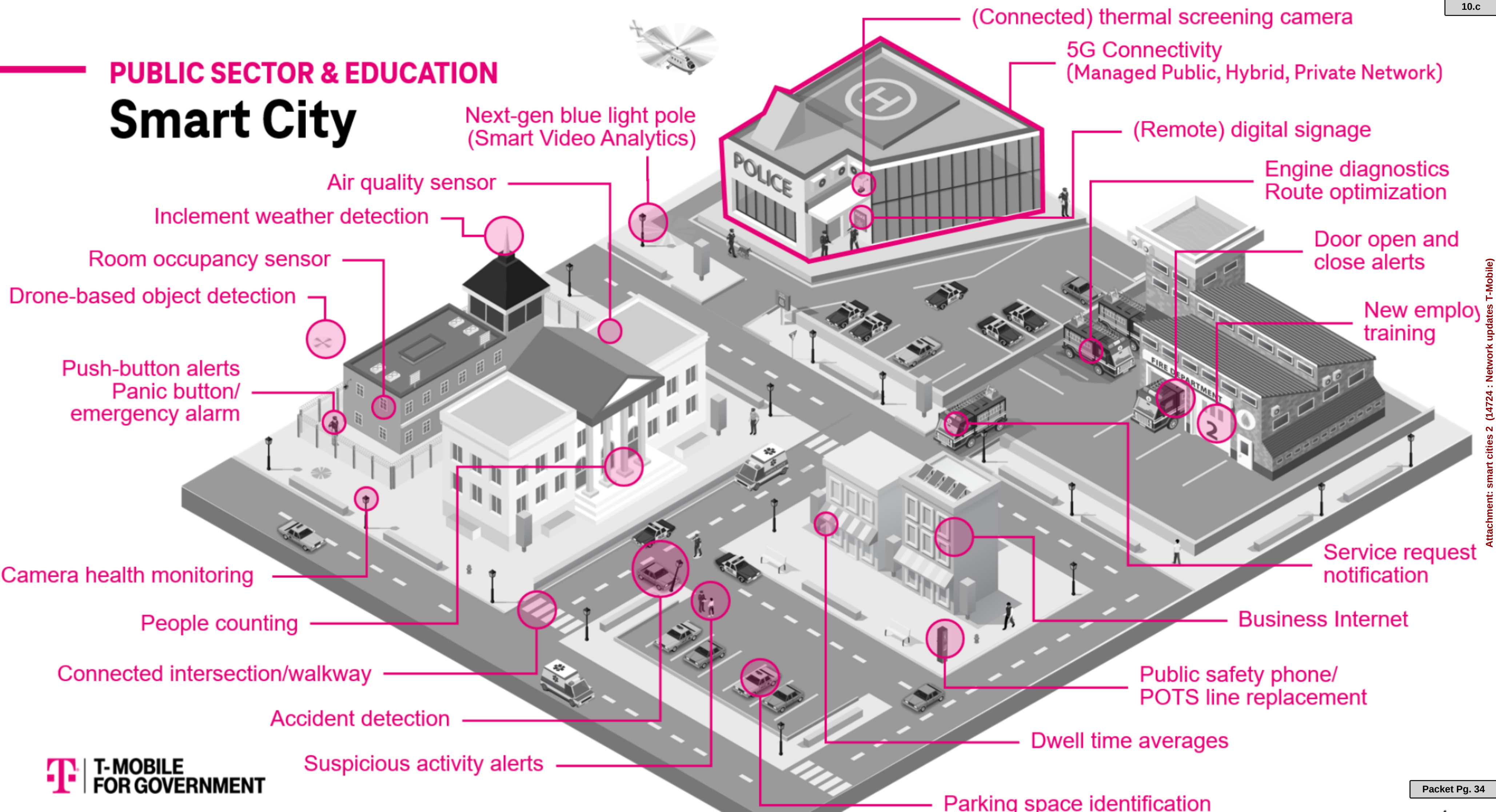
This has been a long-awaited boost in 5G coverage and performance since the release of the spectrum has been in limbo for quite some time. But thanks to the [5G SALE Act](#), the Federal Communications Commission (FCC) was able to grant licenses from previous au

Source: [T-Mobile](#)

Attachment: AUCTION 108 SPECTRUM (14724 : Network updates T-Mobile)

# PUBLIC SECTOR & EDUCATION

## Smart City





**OUTSIDE AGENCY**  
*Presentation*

**Outside Agency**  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-565-6200

## MEMORANDUM

---

**FROM:** Monique Miller, T-Mobile Government Specialist

**MEETING:** May 2, 2024

**SUBJECT:** Emergency Management Team - Deployable in event of natural disaster or emergency

**PRESENTER:** Michael Ude, T-Mobile Local Account Executive for Kansas

---

Enclosures:

- ERT Solution One Pager Details (004) (PDF)
- ert 2 (PNG)



# T-Mobile® has your back

Effective and reliable communication is core to every crisis, emergency, and disaster response plan. No other organization brings over **20 years of dedicated deployables program experience**—we're here to support and equip your team.

Disasters provoke the need for well-tested emergency response plans. Millions of citizens depend on federal, state, and local public safety workers to communicate effectively in the most severe environments.

**The T-Mobile Emergency Response Team (ERT)** provides access to mission-critical voice and data technologies for agencies and organizations including:

- First responders
- U.S. Military
- Government agencies
- Healthcare organizations
- Critical infrastructure operators
- Community lifeline organizations

**Extend your connectivity capabilities virtually anywhere.**

## The ERT offers:

**Dedicated Team:** A national, full-time staff with vast experience in all aspects of public safety, disaster communications, and mission-based support.

**Planning:** Program and technical advisory for emergency response and continuity of operations frameworks.

**Training and Exercising:** Full-scale, table-top, and virtual exercise support to validate plans and assumptions.

**Equipment:** Get fast access to mobile devices, hotspots, routers, tablets, network extenders, and other communications equipment for surge requirements and unmet needs.

**Infrastructure on Demand:** National fleet of mission-based, rapidly deployable communications capabilities for remote and urban operations, including:

- |                                           |                                       |
|-------------------------------------------|---------------------------------------|
| ▪ Satellite Cell on Light Truck (SatCOLT) | ▪ Wi-Fi networking                    |
| ▪ Cell on Light Truck (COLT)              | ▪ LMR and multimedia interoperability |
| ▪ Satellite antenna systems               | ▪ And other innovative solutions      |
| ▪ Microwave                               |                                       |

To learn more about the T-Mobile Emergency Response Team, contact your Account Representative, call the ERT Support Hotline at **888-639-0020**, or email us at **ERTRequests@T-Mobile.com**.



# T-Mobile's Approach to Disaster Recovery

11.b

## Network Pre-Event

- Cell Site and Network Hardening
- Market DR Planning and Prep
- Technology Management & Readiness
- Vendor Management & Preparedness

## Network During/Post Event

- Network Recovery Ops, Coordination & Management
- Vendor Coordination & Management
- Temp Infrastructure Implementation & Deployment
- Event Status Reporting
- Event Close and Market Return to BAU



## ERT Pre-Event

- Exercising
- Special Event Planning
- Contingency & Operational Planning
  - Solution Development
  - Advisory
- BC/DR Consultation
- Public / Private Partnership

## ERT During/Post Event

- Client Network Operations Support
- Deployment Management
  - EOC Staffing
  - Restoration Priority Request

Attachment: ert 2 (14725 : Emergency Management Team T-





**COUNTY APPRAISER'S OFFICE**  
*Staff Update*

**Anna Burson**  
County Appraiser  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-537-6310

## STAFF REPORT

---

**FROM:** Appraiser's Office  
**MEETING:** May 2, 2024  
**SUBJECT:** Appraiser's Office Staff Report  
**PRESENTER:** Anna Burson

---

Enclosures:

- 5-1-24 staff update (DOCX)
- 5-1-24 BOTA UPDATE.xlsx (PDF)

## Appraiser's Office Staff Report

*BOCC May 2<sup>nd</sup>, 2024*

### Personal Property

- Our team is processing the renditions received and assessing penalties for the non-returns, while updating valuation for 2024. The Personal Property notices of value mailed Monday April 29<sup>th</sup>. Property owners have until May 15<sup>th</sup> to appeal.

### AG Use

- AG Use maps will be mailed by May 15<sup>th</sup> to all property owners with agricultural land. We ask property owners to review and update these maps accordingly and please reach out to our office if they have any questions or concerns. We have conducted 48 Farm Homesite appeals and 22 Ag use appeals relating to 2024 valuation.

### Residential

- All 2024 informal appeals have been held and our team is finalizing decision we plan to have appeal decisions finalized prior to May 10<sup>th</sup>. We have conducted 339 informal residential appeals and 42 vacant lot appeals. Additionally, we have decisions pending on two of the four small claims hearings held last month. The third our value was sustained, and the tax rep has filed on to the full board. The fourth was dismissed by the property owner. We received notice of an additional small claims filing relating to 2023 valuation, it has not been scheduled. There are approximately 174 residential home sales so far for 2024. The median sale price is \$230,000 and the average sale price is \$248,334. Our sales ratio currently stands at 97%. As a reminder these statistics are calculated using unvalidated sales. Simply meaning our team has not had the opportunity to review the sales information to ensure each sale represents market and this statistic will change once we have worked through these sales in the coming months.

### Commercial:

- Our Commercial team has conducted 56 appeals relating to commercial property. We are interviewing for the open Commercial position this week and are hopeful to have the position filled soon. Our team is preparing for BOTA, reviewing sales, and completing AR. The next slide shows the updates to the open Commercial BOTA cases.

### Other business:

- Classes, presentations, training
- Budgets
- BOTA

| BOTA - OPEN  |                              |         |      |                                       |                                     |                 |       |                   |                                                           |
|--------------|------------------------------|---------|------|---------------------------------------|-------------------------------------|-----------------|-------|-------------------|-----------------------------------------------------------|
| 3/27/2024    |                              |         |      |                                       |                                     |                 |       |                   |                                                           |
| DOCKET       | PARCEL NUMBER                | QR#     | YEAR | PROPERTY OWNER                        | BUSINESS NAME/SITE                  | COUNTY<br>VALUE | FINAL | TAXPAYER<br>VALUE | SCHEDULED                                                 |
| 2024-403-PR  | 081-177-35-0-00-04-001.00-0  | R5761   | 2023 | MASTER TEACHER, THE                   | MASTER TEACHER, THE                 | \$137,560       |       | \$68,780          | TBA                                                       |
| 2023-2524-EQ | 081-189-31-0-00-00-007.00-0  | R6092   | 2023 | COLONIAL GARDENS LLC (3050 TCB)       | COLONIAL GARDENS MHP OFFICE         | \$407,900       |       | ?                 | TUESDAY, SEPTEMBER 17, 2024 @ 9:00 AM FOR 2 HOURS         |
| 2023-2523-EQ | 081-189-31-0-00-00-010.00-0  | R6096   | 2023 | COLONIAL GARDENS LLC (3000 TCB)       | COLONIAL GARDENS                    | \$8,856,630     |       | \$8,327,504       | TUESDAY, SEPTEMBER 17, 2024 @ 9:00 AM FOR 2 HOURS         |
| 2023-2525-EQ | 081-189-31-0-00-00-017.01-0  | R6104   | 2023 | COLONIAL GARDENS LLC (0000 E MARLATT) | COLONIAL GARDENS - VACANT           | \$1,870         |       | ?                 | TUESDAY, SEPTEMBER 17, 2024 @ 9:00 AM FOR 2 HOURS         |
| 2024-1200-EQ | 081-189-31-0-00-00-073.00-0  | R6161   | 2024 | THE LINKS AT MANHATTAN                | THE LINKS AT MANHATTAN              | \$52,657,400    |       | \$42,000,000      | TBA                                                       |
| 2023-2526-EQ | 081-203-06-2-70-18-001.00-0  | R7912   | 2023 | BLUE VALLEY MHC LLC                   | BLUE VALLEY MHC LLC                 | \$4,239,320     |       | \$3,825,000       | TUESDAY, SEPTEMBER 17, 2024 @ 11:00 AM FOR 1 HOUR         |
| 2023-2441-EQ | 081-203-07-2-20-09-003.00-0  | R8759   | 2023 | SUNFLOWER BANK                        | SUNFLOWER BANK                      | \$4,626,910     |       | \$2,313,455       | TUESDAY, JUNE 18, 2024 @ 3:30 FOR ONE HOUR IN TOPEKA      |
| 2020-6179-PR | 081-203-07-2-80-01-001.02-0  | R9273   | 2019 | BJS, INC                              | IHOP                                | \$1,974,000     |       | \$1,000,000       | MONDAY, JULY 22, 2024 @ 1:30 PM FOR 2 HOURS IN TOPEKA     |
| 2020-6180-EQ | 081-203-07-2-80-01-001.02-0  | R9273   | 2020 | BJS, INC                              | IHOP                                | \$1,974,000     |       | \$1,482,207       | MONDAY, JULY 22, 2024 @ 1:30 PM FOR 2 HOURS IN TOPEKA     |
| 2021-1105-EQ | 081-203-07-2-80-01-001.02-0  | R9273   | 2021 | BJS, INC                              | IHOP                                | \$1,974,000     |       | \$1,300,000       | MONDAY, JULY 22, 2024 @ 1:30 PM FOR 2 HOURS IN TOPEKA     |
| 2020-1714-EQ | 081-204-18-2-10-18-001.00-0  | R9845   | 2020 | MHTTTN MARKETPLACE                    | A&W/NOODLES/ETC.                    | \$2,100,000     |       | \$1,365,000       | TUESDAY, JULY 2, 2024 @ 1:30 PM FOR A HALF DAY IN TOPEKA  |
| 2021-5574-EQ | 081-204-18-2-10-18-001.00-0  | R9845   | 2021 | MHTTTN MARKETPLACE                    | A&W/NOODLES/ETC.                    | \$1,770,000     |       | \$1,150,500       | TUESDAY, JULY 2, 2024 @ 1:30 PM FOR A HALF DAY IN TOPEKA  |
| 2022-1386-EQ | 081-204-18-2-10-18-001.00-0  | R9845   | 2022 | MHTTTN MARKETPLACE                    | A&W/NOODLES/ETC.                    | \$1,670,000     |       | 1463240           | TUESDAY, JULY 2, 2024 @ 1:30 PM FOR A HALF DAY IN TOPEKA  |
| 2023-1154-EQ | 081-204-18-2-10-18-001.00-0  | R9845   | 2023 | MHTTTN MARKETPLACE                    | A&W/NOODLES/ETC.                    | \$1,570,000     |       | \$1,402,794       | TUESDAY, JULY 2, 2024 @ 1:30 PM FOR A HALF DAY IN TOPEKA  |
| 2020-1099-EQ | 081-204-18-2-10-18-001.01-0  | R9846   | 2020 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$133,660       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2021-1437-EQ | 081-204-18-2-10-18-001.01-0  | R9846   | 2021 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$140,910       |       | prior year value  | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2022-2165-EQ | 081-204-18-2-10-18-001.01-0  | R9846   | 2022 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$140,040       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2023-1916-EQ | 081-204-18-2-10-18-001.01-0  | R9846   | 2023 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$139,920       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2024-1215-EQ | 081-204-18-2-10-18-001.01-0  | R9846   | 2024 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    |                 |       | TBA               |                                                           |
| 2020-1097-EQ | 081-204-18-2-10-18-002.00-0  | R9847   | 2020 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT)                | \$2,398,740     |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2021-1435-EQ | 081-204-18-2-10-18-002.00-0  | R9847   | 2021 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT)                | \$2,478,940     |       | prior year value  | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2022-2164-EQ | 081-204-18-2-10-18-002.00-0  | R9847   | 2022 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT)                | \$2,480,660     |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2023-1914-EQ | 081-204-18-2-10-18-002.00-0  | R9847   | 2023 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT)                | \$2,479,080     |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2024-1213-EQ | 081-204-18-2-10-18-002.00-0  | R9847   | 2024 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT)                |                 |       | TBA               |                                                           |
| 2020-1098-EQ | 081-204-18-2-10-18-011.00-0  | R9848   | 2020 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$119,500       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2021-1436-EQ | 081-204-18-2-10-18-011.00-0  | R9848   | 2021 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$126,850       |       | prior year value  | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2022-2166-EQ | 081-204-18-2-10-18-011.00-0  | R9848   | 2022 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$126,000       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2023-1915-EQ | 081-204-18-2-10-18-011.00-0  | R9848   | 2023 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    | \$125,850       |       | ?                 | WEDNESDAY, NOV 6TH THURS, NOV 7TH 9:00 AM TWO DAYS        |
| 2024-1214-EQ | 081-204-18-2-10-18-011.00-0  | R9848   | 2024 | WG-7060 KS, LLC                       | WALGREENS (BLUEMONT) PARKING LOT    |                 |       | TBA               |                                                           |
| 2024-1202-EQ | 081-204-18-2-10-20-004.01-0  | R9854   | 2024 | MANHATTAN MARKETPLACE SC LLC          | BEST BUY                            |                 |       | TBA               |                                                           |
| 2021-285-PR  | 081-204-18-2-10-20-004.02-0  | R9855   | 2021 | MANHATTAN MARKETPLACE SC LLC          | MCALISTER'S                         | \$1,375,000     |       | \$1,114,370       | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2021-5575-EQ | 081-204-18-2-10-20-004.02-0  | R9855   | 2021 | MANHATTAN MARKETPLACE SC LLC          | MCALISTER'S                         | \$1,160,000     |       | \$1,114,370       | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2022-1387-EQ | 081-204-18-2-10-20-004.02-0  | R9855   | 2022 | MANHATTAN MARKETPLACE SC LLC          | MCALISTER'S                         | \$1,090,000     |       | ?                 | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2023-1155-EQ | 081-204-18-2-10-20-004.02-0  | R9855   | 2023 | MANHATTAN MARKETPLACE SC LLC          | MCALISTER'S                         | \$1,029,000     |       | \$984,227         | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2020-1713-EQ | 081-204-18-2-10-20-005.00-0  | R9857   | 2020 | MANHATTAN MARKETPLACE SC LLC          | BED BATH & BEYOND & OTHER RETAILERS | \$4,585,000     |       | ?                 | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2021-2046-EQ | 081-204-18-2-10-20-005.00-0  | R9857   | 2021 | MANHATTAN MARKETPLACE SC LLC          | BED BATH & BEYOND & OTHER RETAILERS | \$4,125,000     |       | \$3,415,016       | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2022-1385-EQ | 081-204-18-2-10-20-005.00-0  | R9857   | 2022 | MANHATTAN MARKETPLACE SC LLC          | BED BATH & BEYOND & OTHER RETAILERS | \$4,015,000     |       | \$3,415,016       | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2023-1153-EQ | 081-204-18-2-10-20-005.00-0  | R9857   | 2023 | MANHATTAN MARKETPLACE SC LLC          | BED BATH & BEYOND & OTHER RETAILERS | \$3,785,000     |       | \$3,278,465       | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2020-1715-EQ | 081-204-18-2-10-20-013.00-0  | R302812 | 2020 | MANHATTAN MARKETPLACE SC LLC          | VACANT - WAS PAUL MITCHELL SALON    | \$745,000       |       | \$484,250         | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2021-5576-EQ | 081-204-18-2-10-20-013.00-0  | R302812 | 2021 | MANHATTAN MARKETPLACE SC LLC          | VACANT - WAS PAUL MITCHELL SALON    | \$630,000       |       | \$478,968         | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2022-1388-EQ | 081-204-18-2-10-20-013.00-0  | R302812 | 2022 | MANHATTAN MARKETPLACE SC LLC          | VACANT - WAS PAUL MITCHELL SALON    | \$380,000       |       | \$190,000         | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2023-1156-EQ | 081-204-18-2-10-20-013.00-0  | R302812 | 2023 | MANHATTAN MARKETPLACE SC LLC          | VACANT - WAS PAUL MITCHELL SALON    | \$255,000       |       | ?                 | JULY 2ND 1:30 1/2 DAY IN TOPEKA                           |
| 2021-1662-EQ | 081-204-18-2-30-03-004.00-0  | R10629  | 2021 | KSU REAL ESTATE FUND LLC              | HOLIDAY INN CAMPUS                  | \$3,820,400     |       | \$2,060,000       | JULY 2ND 11:00 1 HOUR IN TOPEKA                           |
| 2022-2163-EQ | 081-204-18-2-30-03-004.00-0  | R10629  | 2022 | KSU REAL ESTATE FUND LLC              | HOLIDAY INN CAMPUS                  | \$4,011,420     |       | \$3,630,000       | JULY 2ND 11:00 1 HOUR IN TOPEKA                           |
| 2024-402-PR  | 081-211-02-0-00-00-001.00-0  | R13450  | 2023 | MASTER TEACHER, THE                   | MASTER TEACHER, THE                 | \$2,855,840     |       | \$1,427,920       | TBA                                                       |
| 2020-1749-EQ | 081-211-11-0-40-13-003.00-0  | R15610  | 2020 | CENTRO BRADLEY SPE 3 LLC              | WESTLOOP SHOPPING CENTER            | \$22,914,700    |       | \$17,790,000      | JULY 2ND 9:00 2 HOURS IN TOPEKA                           |
| 2021-1660-EQ | 081-211-11-0-40-13-003.00-0  | R15610  | 2021 | CENTRO BRADLEY SPE 3 LLC              | WESTLOOP SHOPPING CENTER            | \$22,833,000    |       | \$21,160,000      | JULY 2ND 9:00 2 HOURS IN TOPEKA                           |
| 2022-2172-EQ | 081-211-11-0-40-13-003.00-0  | R15610  | 2022 | CENTRO BRADLEY SPE 3 LLC              | WESTLOOP SHOPPING CENTER            | \$23,790,490    |       | \$22,550,000      | JULY 2ND 9:00 2 HOURS IN TOPEKA                           |
| 2023-1157-EQ | 081-211-11-0-40-13-003.00-0  | R15610  | 2023 | CENTRO BRADLEY SPE 3 LLC              | WESTLOOP SHOPPING CENTER            | \$23,790,490    |       | \$22,070,000      | JULY 2ND 9:00 2 HOURS IN TOPEKA                           |
| 2020-915-EQ  | 081-211-12-0-30-11-004.01-0  | R16204  | 2020 | GLASS INVESTMENTS LLC                 | WALGREENS (ANDERSON AVE)            | \$2,715,200     |       | ?                 | FRIDAY, DECEMBER 13, 2024 9:00AM FOR 2 HOURS IN TOPEKA    |
| 2021-1439-EQ | 081-211-12-0-30-11-004.01-0  | R16204  | 2021 | GLASS INVESTMENTS LLC                 | WALGREENS (ANDERSON AVE)            | \$2,812,400     |       | prior year value  | FRIDAY, DECEMBER 13, 2024 9:00AM FOR 2 HOURS IN TOPEKA    |
| 2022-2155-EQ | 081-211-12-0-30-11-004.01-0  | R16204  | 2022 | GLASS INVESTMENTS LLC                 | WALGREENS (ANDERSON AVE)            | \$2,812,400     |       | ?                 | FRIDAY, DECEMBER 13, 2024 9:00AM FOR 2 HOURS IN TOPEKA    |
| 2023-2296-EQ | 081-211-12-0-30-11-004.01-0  | R16204  | 2023 | GLASS INVESTMENTS LLC                 | WALGREENS (ANDERSON AVE)            | \$2,812,400     |       |                   | FRIDAY, DECEMBER 13, 2024 9:00AM FOR 2 HOURS IN TOPEKA    |
| 2024-1201-EQ | 081-211-12-0-30-11-004.01-0  | R16204  | 2024 | GLASS INVESTMENTS LLC                 | WALGREENS (ANDERSON AVE)            |                 |       | TBA               |                                                           |
| 2024-1501-PR | 081-216-13-0-40-06-003.00-0  | R19702  | 2023 | DEBRUYN, R L & T H, TRUST             | (RESIDENTIAL)                       | \$808,900       |       | \$750,000         | TBA                                                       |
| 2022-5112-EQ | 081-216-14-0-10-03-006.02-0  | R19739  | 2022 | ICON INVESTMENTS LLC                  | AUTO MUSEUM PARKING LOT             | \$1,220,060     |       | \$272,021         | TUESDAY, JUNE 18, 2024 @ 9:00 FOR A HALF DAY IN TOPEKA    |
| 2023-1869-EQ | 081-216-14-0-10-03-006.02-0  | R19739  | 2023 | ICON INVESTMENTS LLC                  | AUTO MUSEUM PARKING LOT             | \$1,270,180     |       | \$200,000         | TUESDAY, JUNE 18, 2024 @ 9:00 FOR A HALF DAY IN TOPEKA    |
| 2023-2393-EQ | 081-216-23-0-10-08-001.00-0  | R20575  | 2023 | GENESIS HEALTH CLUBS OF MHTTN LLC     | GENESIS                             | \$8,152,300     |       | \$4,076,150       | FRIDAY, SEPTEMBER 6, 2024, @ 9:00 AM FOR 1 HOUR IN TOPEKA |
| 2020-914-EQ  | 081-216-24-0-20-02-001.00-0  | R21288  | 2020 | TARGET CORPORATION                    | TARGET                              | \$9,850,000     |       | ?                 | MONDAY & TUESDAY OCTOBER 28 & 29 2024 @ 9:00 AM           |
| 2021-1440-EQ | 081-216-24-0-20-02-001.00-0  | R21288  | 2021 | TARGET CORPORATION                    | TARGET                              | \$9,700,000     |       | prior year value  | MONDAY & TUESDAY OCTOBER 28 & 29 2024 @ 9:00 AM           |
| 2022-2157-EQ | 081-216-24-0-20-02-001.00-0  | R21288  | 2022 | TARGET CORPORATION                    | TARGET                              | \$9,700,000     |       | ?                 | MONDAY & TUESDAY OCTOBER 28 & 29 2024 @ 9:00 AM           |
| 2023-2295-EQ | 081-216-24-0-20-02-001.00-0  | R21288  | 2023 | TARGET CORPORATION                    | TARGET                              | \$9,700,000     |       | ?                 | MONDAY & TUESDAY OCTOBER 28 & 29 2024 @ 9:00 AM           |
| 2024-1203-EQ | 081-216-24-0-20-02-0001.00-0 | R21288  | 2024 | TARGET CORPORATION                    | TARGET                              | \$9,700,000     |       | ?                 | TBA                                                       |

Total County Value in Question

\$293,293,920



**PLANNING & DEVELOPMENT**  
Public Hearing

**Amanda Webb**  
Planning/Special Projects  
Director  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-537-6332

## RESOLUTION

---

**FROM:** Lisa Daily, Administrative Asst II

**MEETING:** May 2, 2024

**SUBJECT:** Rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential) and plat said tract and Lot 2 of Bowman Subdivision No. 1 together into a single lot.

**PRESENTER:** Bob Isaac, Planner

---

### **BACKGROUND**

See staff report.

### **DISCUSSION**

See staff report.

### **FISCAL IMPACT**

None is anticipated

### **ALTERNATIVES**

- . Approve the measure
- . Deny the measure
- . Modify or develop alternatives if other concerns or factors arise
- . Schedule work session to discuss issue further

### **RECOMMENDATION(S)**

On April 8, 2024, the Riley County Planning Board forwarded a recommendation to the Board of Commissioners of Riley County to approve the request to rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and to rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential), as it was found to be in general conformance with the comprehensive plan.

The Board also approved the concurrent plat of Fajen Farmhouse Subdivision, as it was found to meet the requirements of the Riley County Land Development Regulations and the Riley County Sanitary Code.

Staff recommends the Board of County Commissioners approve the request to rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and to rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential), as it was found to be in general conformance with the comprehensive plan.

Staff also recommends that the Board of County Commissioners acknowledge the approved Final Plat of Fajen Farmhouse Subdivision, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

### **POSSIBLE MOTION(S)**

#### **ACTION NEEDED FOR REZONING (AG to SF-1):**

- . **Move** to sign Resolution 050224-\_\_\_\_\_ approving the request to rezone an unplatted tract from AG (Agricultural District) to SF-1 (Single Family Residential).
- . **Move** to sign Resolution 050224-\_\_\_\_\_ denying the request to rezone an unplatted tract from AG (Agricultural District) to SF-1 (Single Family Residential).
- . **Move** to table the request to rezone the described property to a specific date, indicating the reasons for tabling.

#### **ACTION NEEDED FOR REZONING: (SF-3 to SF-1)**

- . **Move** to sign Resolution 050224-\_\_\_\_\_ approving the request to rezone an unplatted tract from SF-3 (Single Family Residential) to SF-1 (Single Family Residential).
- . **Move** to sign Resolution 050224-\_\_\_\_\_ denying the request to rezone an unplatted tract from SF-3 (Single Family Residential) to SF-1 (Single Family Residential).
- . **Move** to table the request to rezone the described property to a specific date, indicating the reasons for tabling.

#### **ACTION NEEDED FOR PLAT:**

- . **Move** to approve Resolution 050224- \_\_\_\_\_ acknowledging the approved Final Plat of Fajen Farmhouse Subdivision and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

Or

- . **Move** to sign Resolution 050224- \_\_\_\_\_ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Fajen Farmhouse Subdivision, as it has been determined that it does not meet the requirements of the Riley County Land Development Regulations or Sanitary Code.

### **ATTACHMENT(S):**

- Staff report
- Maps
- Excerpt of Planning Board minutes

### **Enclosures:**

- Staff Report (PDF)
- RCPB Minutes (PDF)
- Resolution Rezone Approve AG to SF-1 (PDF)
- Resolution Rezone Deny AG to SF-1 (PDF)
- Resolution Rezone Approve SF-3 to SF-1 (PDF)
- Resolution Rezone Deny SF-3 to SF-1 (PDF)
- Resolution Plat (PDF)



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Plat & Rezone

**PETITION:** #24-013

**APPLICANT:** Jeremy and Tiffany Fajen  
209 Bergsten Ct.  
Riley, KS 66531

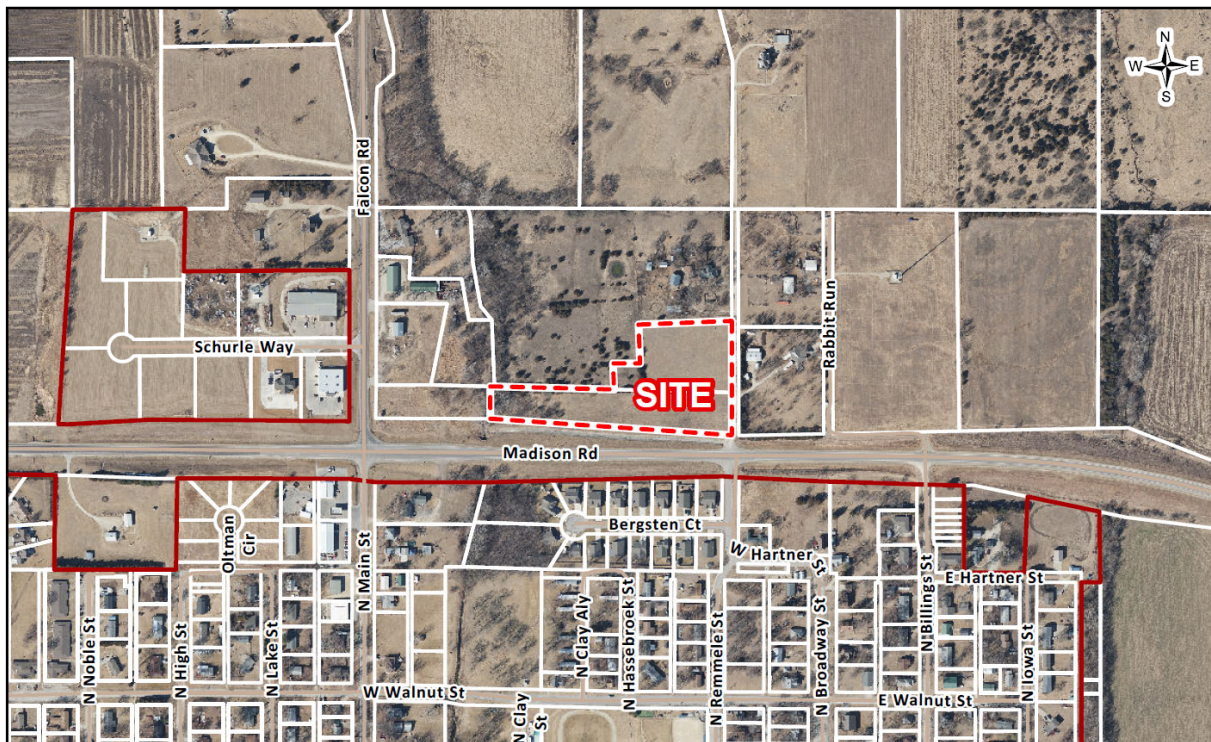
**PROPERTY OWNER(S):** John H. & Pamela M. Fajen  
12200 Madison Rd.  
Riley, KS 66531-9664

**REQUEST:** Rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential) and plat said tract and Lot 2 of Bowman Subdivision No. 1 together into a single lot.

**SIZE OF TRACT:** The subject site is approximately 4.75 acres.

**LOCATION:** Generally located approximately 1140 feet east of Falcon Road, on the north side of Madison Road; Section 1, Township 9 South, Range 5 East; Madison Township.

**JURISDICTION:** This application is subject to the requirements of the Riley County Land Development Regulations.



**BACKGROUND:** The subject property consists of Lot 2 of Bowman Subdivision No. 1, platted in June 1978, and a portion of a 13.6-acre unplatted parent tract. Pamela M. Fajen, the applicant's mother, wishes to continue her small agricultural operation on the remainder of the parent tract and has received preliminary approval for an agricultural exemption from the platting requirements. The applicant wishes to combine Lot 2 of Bowman Subdivision No. 1, and a small portion of the aforementioned 13.6-acre unplatted parent tract into a single lot and rezone the property to SF-1 in order to build a house.

**DESCRIPTION:**

Physical site characteristics: The subject site in its entirety consists predominantly of grasses, with a row of mature cedars lining the north line of current Lot 2 of Bowman Subdivision No. 1. The proposed lot abuts a publicly dedicated easement along its east property line; however, the easement is not wide enough to be considered a "road", though its use is access. A portion of the west half of Lot 2 is located within an unnumbered A Flood Zone.

General character of the area: The character of the area is transition between the north city limits of Riley and the agricultural/rural residential uses north of the highway.

**ZONING:**

Zoning History: Lot 2 of Bowman Subdivision No. 1 was rezoned from G-1 (General Agricultural) to A-2 (Single Family Residential) in 1976. The unplatted portion of the subject property has been zoned agricultural since at least 1974.

Current Zoning: The subject property is currently zoned AG (Agricultural District) and SF-3 (Single Family Residential). There are no variances, conditional uses or special uses associated with the site.

| SURROUNDING ZONING/LAND USE |                                  |                       |
|-----------------------------|----------------------------------|-----------------------|
|                             | ADJACENT ZONING                  | LAND USE              |
| <b>NORTH</b>                | AG (Agricultural District)       | Farm/farm residential |
| <b>SOUTH</b>                | City of Riley                    | residential           |
| <b>EAST</b>                 | SF-1 (Single Family Residential) | residential           |
| <b>WEST</b>                 | C-1 (Neighborhood Commercial)    | vacant                |

**POTENTIAL IMPACT:**

**Public facilities and services:**

Streets and bridges: The subject site directly abuts and has direct access to Madison Road (Highway 24/77), a paved two-lane, major arterial, maintained by the State. The new lot will be subject to the Driveway Standards in the Unincorporated Area of Riley County, Kansas. The proposed driveway must connect to the existing entrance located at the southeast corner of the proposed lot.

Water and sewer: It is proposed the site will be served by an onsite water well and an onsite sanitary sewer system (septic system or wastewater treatment pond). If a new well is drilled, the applicant will need to contact the City of Riley, as they have water rights in the area.

Fire: Riley County Fire District #1 will serve the site. The nearest county fire station is the Riley Fire Station, located at 327 N Main Street in Riley.

Effect on public facilities and services: It is not anticipated that platting and rezoning the subject property will have a detrimental impact on public facilities or services.

### **CONFORMANCE TO THE LAND USE PLAN:**

The request was reviewed with the 2009 Vision 2025 Riley County Comprehensive Plan, specifically the Development Guidance System (Chapter 12). The analysis is as follows:

### **Conformance to the Goals, Objectives and Policies**

Goal for residential:

*To allow for the development of a diversity of housing types, sizes and price levels to meet the changing needs of all county residents.*

Objective R4: Allow for adequate amounts of single family housing in suitable locations throughout the county.

### Policies:

R4.2 Roads serving residential developments should safely accommodate anticipated traffic.

### **Future Land Use Map**

According to the Future Land Use Map North (Figure 11.2) found in the Plan, the subject property is located within a designated growth area.

### **The Land Evaluation/Site Assessment (LESA) Score**

Due to the nature of the request, a LESA was not generated.

### **Hardship on the landowner**

The Applicant did not express a hardship as a reason for this request.

Staff analysis: The request to plat and rezone the subject property is consistent with goals and objectives of the Plan.

### **RILEY COUNTY LAND DEVELOPMENT REGULATIONS:**

Agricultural Buffer: N/A

Riparian Buffer: N/A

### **COMMENTS AND CONCERNS:**

ENVIRONMENTAL HEALTH: The Riley County Environmental Health Specialist has reviewed the request and reported that the property can support onsite wastewater disposal. There should be no issue with drilling a well at this property; checking with the City of Riley to make sure there is no easement around the city wells. He said the applicant could share the existing water well with parents or try to connect to city water if there is an easement in place preventing drilling a water well at this location. Property is in compliance with the sanitary code.

COUNTY ENGINEER: The County Engineer has reviewed the request and reported Public Works approves the replat, as long as it meets driveway standards.

EMERGENCY MANAGEMENT: Riley County Emergency Management has reviewed the request and reported that RCFD #1 has no concerns with the plat/rezone request; however, RCFD suggests that address signs/numbers are clearly visible.

TOWNSHIP TRUSTEE: A Development Review Memo was sent to the Madison Township Trustee; no reply has been received by the Department.

CITY OF RILEY: The City of Riley has reviewed the request and reported no concerns with the request.

### **RILEY COUNTY PLANNING BOARD**

On April 8, 2024, the Riley County Planning Board forwarded a recommendation to the Board of Commissioners of Riley County to approve the request to rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and to rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential), as it was found to be in general conformance with the comprehensive plan.

The Board also approved the concurrent plat of Fajen Farmhouse Subdivision, as it was found to meet the requirements of the Riley County Land Development Regulations and the Riley County Sanitary Code.

### **STAFF RECOMMENDATIONS:**

Staff recommends the Board of County Commissioners approve the request to rezone a tract of land from AG (Agricultural District) to SF-1 (Single Family Residential) and to rezone Lot 2 of Bowman Subdivision No. 1 from SF-3 (Single Family Residential) to SF-1 (Single Family Residential), as it was found to be in general conformance with the comprehensive plan.

Staff also recommends that the Board of County Commissioners acknowledge the approved Final Plat of Fajen Farmhouse Subdivision, accepting any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

### **POSSIBLE MOTION(S)**

#### **ACTION NEEDED FOR REZONING (AG to SF-1):**

- A. **Move** to sign Resolution 050224-\_\_\_\_\_ approving the request to rezone an unplatted tract from AG (Agricultural District) to SF-1 (Single Family Residential).
- B. **Move** to sign Resolution 050224-\_\_\_\_\_ denying the request to rezone an unplatted tract from AG (Agricultural District) to SF-1 (Single Family Residential).
- C. **Move** to table the request to rezone the described property to a specific date, indicating the reasons for tabling.

#### **ACTION NEEDED FOR REZONING: (SF-3 to SF-1)**

- A. **Move** to sign Resolution 050224-\_\_\_\_\_ approving the request to rezone an unplatted tract from SF-3 (Single Family Residential) to SF-1 (Single Family Residential).
- B. **Move** to sign Resolution 050224-\_\_\_\_\_ denying the request to rezone an unplatted tract from SF-3 (Single Family Residential) to SF-1 (Single Family Residential).
- C. **Move** to table the request to rezone the described property to a specific date, indicating the reasons for tabling.

## **REASONS TO CONSIDER WHEN DECIDING A REZONING PETITION:**

- ☐ Is the rezoning compatible with the character of the neighborhood?
- ☐ Is the rezoning compatible with the zoning and uses of properties nearby?
- ☐ Is the subject property not suitable for the uses allowed by the current zoning?
- ☐ Will the removal of the current restrictions by rezoning detrimentally affect nearby property?
- ☐ Has the subject property remained vacant as zoned for a substantial time period?
- ☐ Is the gain to the public health, safety and welfare by denying rezoning not as great as the hardship imposed upon the individual landowner?
- ☐ Is the rezoning consistent with the recommendations of permanent or professional staff?
- ☐ Does the rezoning conform to the adopted comprehensive plan?
- ☐ Will the rezoning detrimentally affect the conservation of the natural resources of the County?
- ☐ Will the rezoning result in the efficient expenditure of public funds?
- ☐ Will the rezoning promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County?

### **ACTION NEEDED FOR PLAT:**

A. **Move** to approve Resolution 050224- \_\_\_\_\_ acknowledging the approved Final Plat of Fajen Farmhouse Subdivision and accept any easements, rights-of-way or licenses, as shown to be dedicated on the Final Plat.

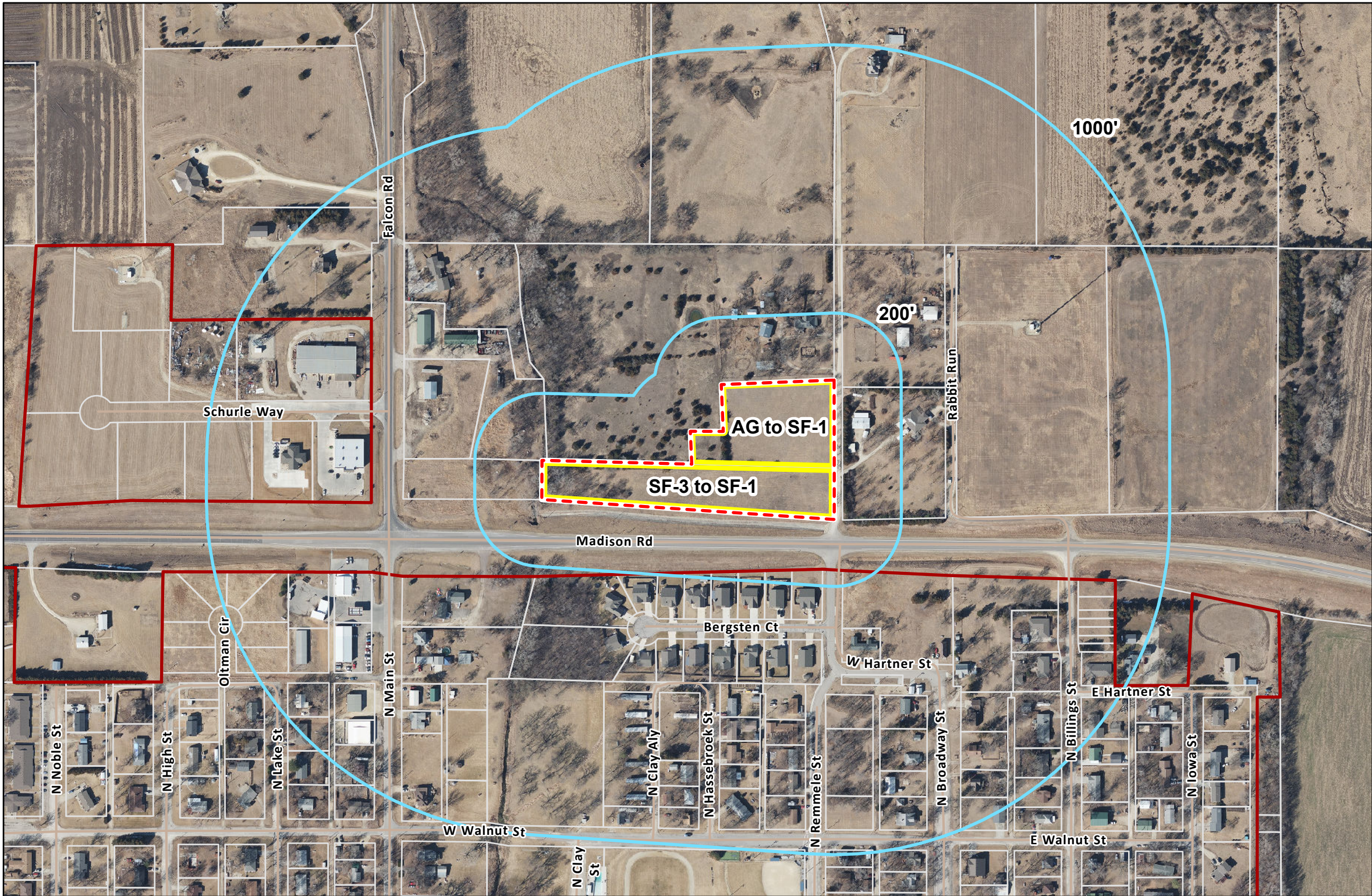
Or

B. **Move** to sign Resolution 050224- \_\_\_\_\_ denying acceptance of any rights-of-way, easements, licenses as shown to be dedicated on the Final Plat of Fajen Farmhouse Subdivision, as it has been determined that it does not meet the requirements of the Riley County Land Development Regulations or Sanitary Code.

### **ATTACHMENTS:**

- Vicinity/site map
- Surrounding zoning map
- Fire station map
- Preliminary Plat
- Final Plat

Prepared by: Bob Isaac, Planner  
April 9, 2024



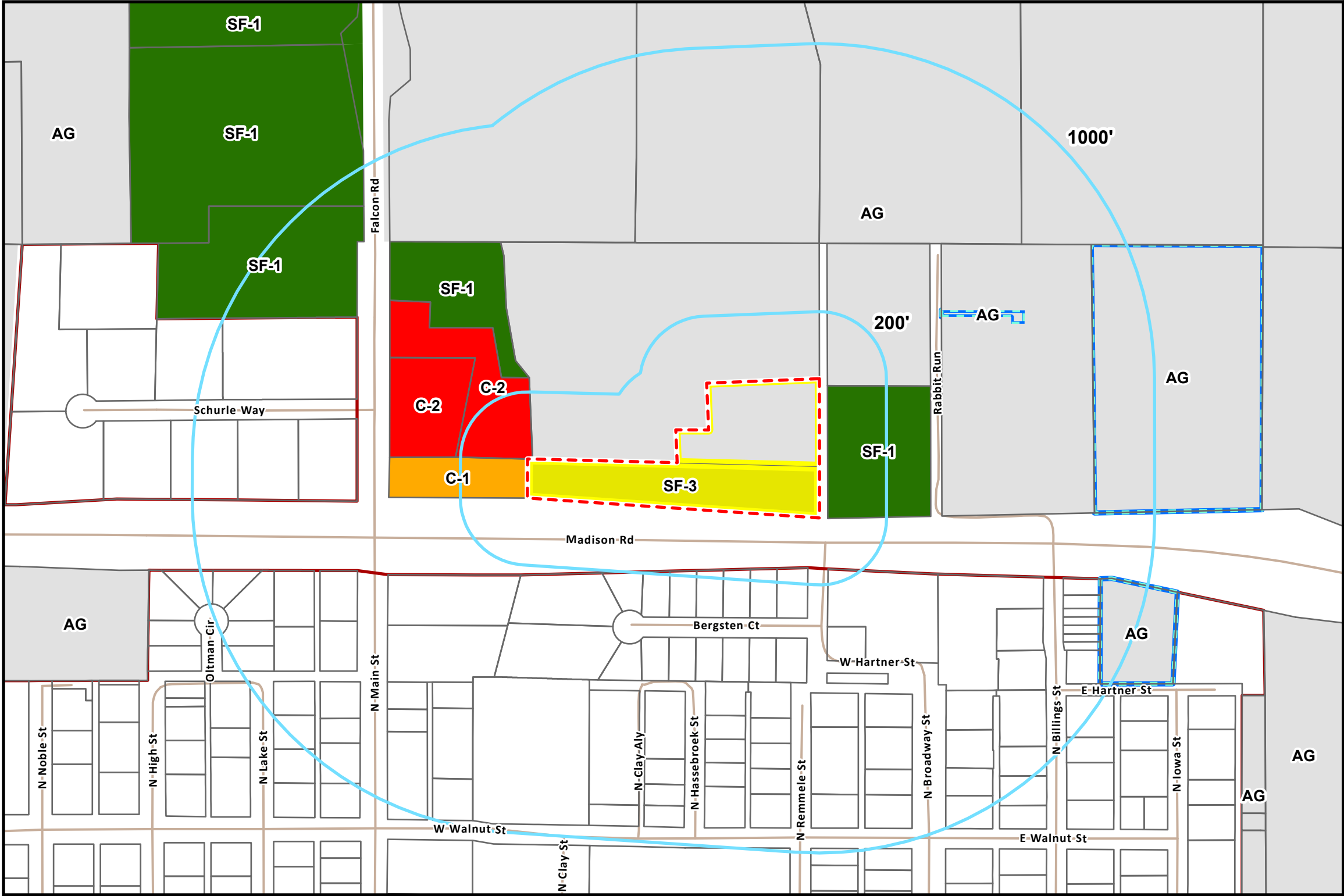
## VICINITY AND SITE

Fajen  
#24-013  
Plat/Replat  
Fajen Farmhouse  
Rezone  
AG to SF-1  
SF-3 to SF-1  
1-9-5

200'/1000' Buffer  
Site  
Rezone



Attachment: Staff Report (14685 : Rezone & Plat Fajen Farmhouse Subdivision)

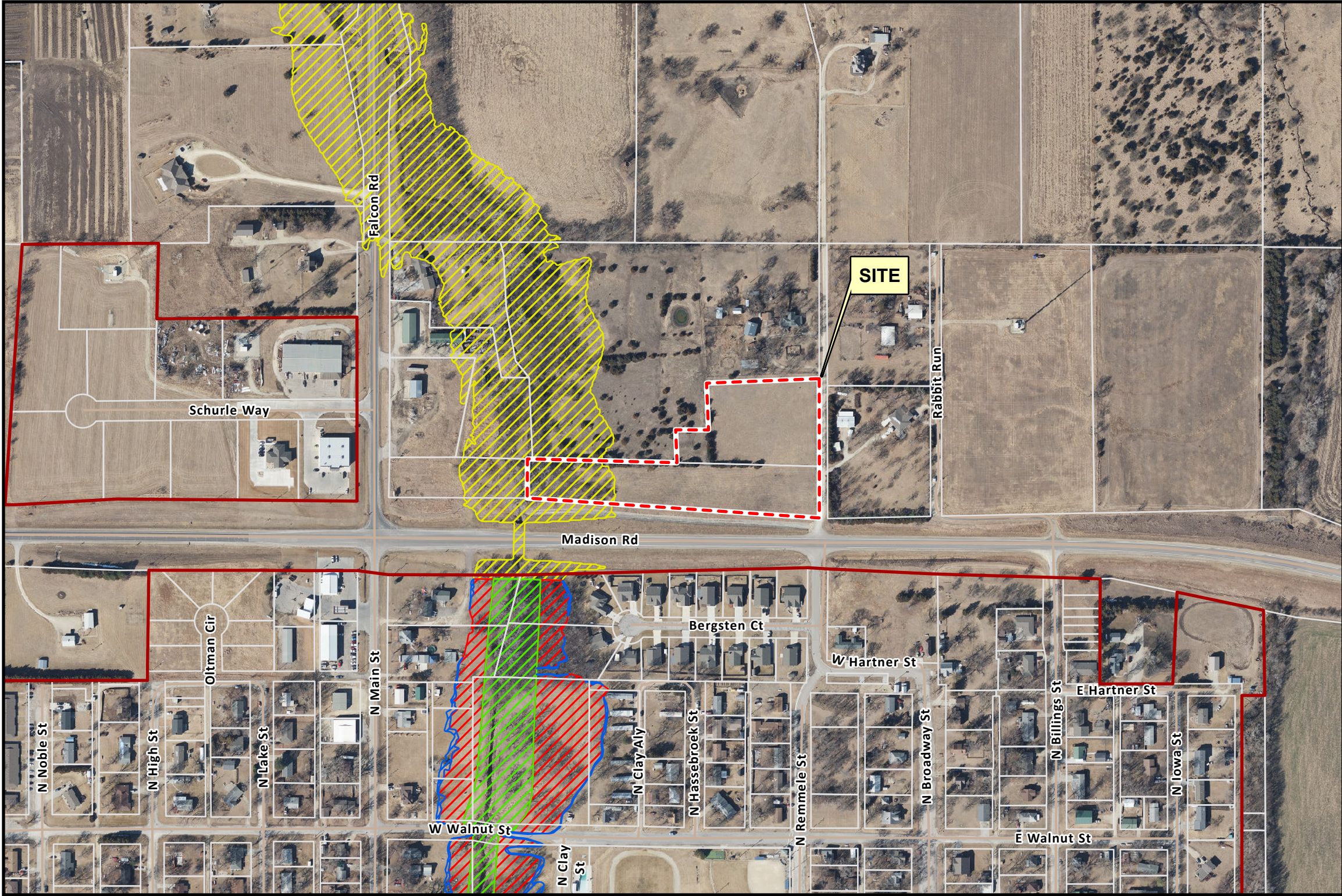


SURROUNDING ZONING

Fajen  
#24-013  
Plat/Replat  
Fajen Farmhouse  
Rezone  
AG to SF-1  
SF-3 to SF-1  
1-9-5

- 200'/1000' Buffer
- Site
- Rezone

- AG Agricultural
- AG-R AG/Residential
- C-1 General Business
- C-2 Highway Business
- Fort Riley
- I-1 Light Industrial
- I-2 Heavy Industrial
- MF Multi-Family
- MHP Manufactured Home Park
- PUD Planned Unit Development
- SF-1 Single Family
- SF-2 Single Family
- SF-3 Single Family
- TF Two-Family
- U University
- Special Zoning



## FLOODPLAIN

Fajen  
#24-013  
Plat/Replat  
Fajen Farmhouse  
Rezone  
AG to SF-1  
SF-3 to SF-1  
1-9-5

- Floodplain
- 1% Annual Chance Flood (Unnumbered)
  - 1% Annual Chance Flood (Numbered)
  - Floodway
  - 1% Annual Chance Flood (1'-3' Depth)
  - 0.2% Annual Chance Flood



## FIRE STATIONS

Fajen

#24-013  
Plat/Replat

Fajen Farmhouse

Rezone

AG to SF-1  
SF-3 to SF-1

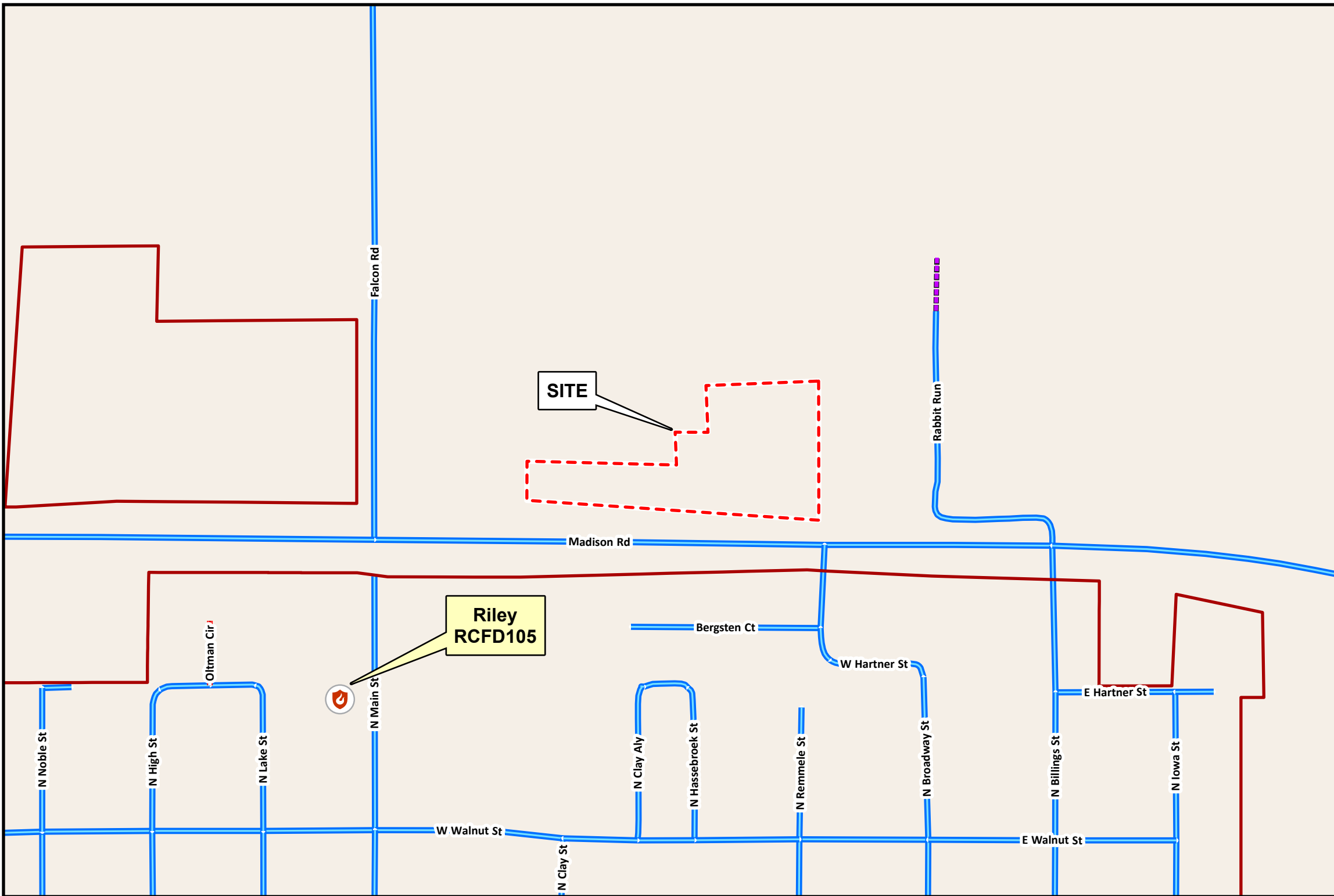
1-9-5



### ISO Rating

- 5 (within 1000' of a hydrant)
- 6 (within 5 road miles of 6 fire station)
- 10 (outside 5 road miles)
- OR road is not paved/gravel

Attachment: Staff Report (14685 : Rezone & Plat Fajen Farmhouse Subdivision)





# FORT RILEY NOISE CONTOURS AVERAGE AND PEAK

Fajen

#24-013  
Plat/Replat

Fajen Farmhouse

Rezone

AG to SF-1  
SF-3 to SF-1

1-9-5

Site

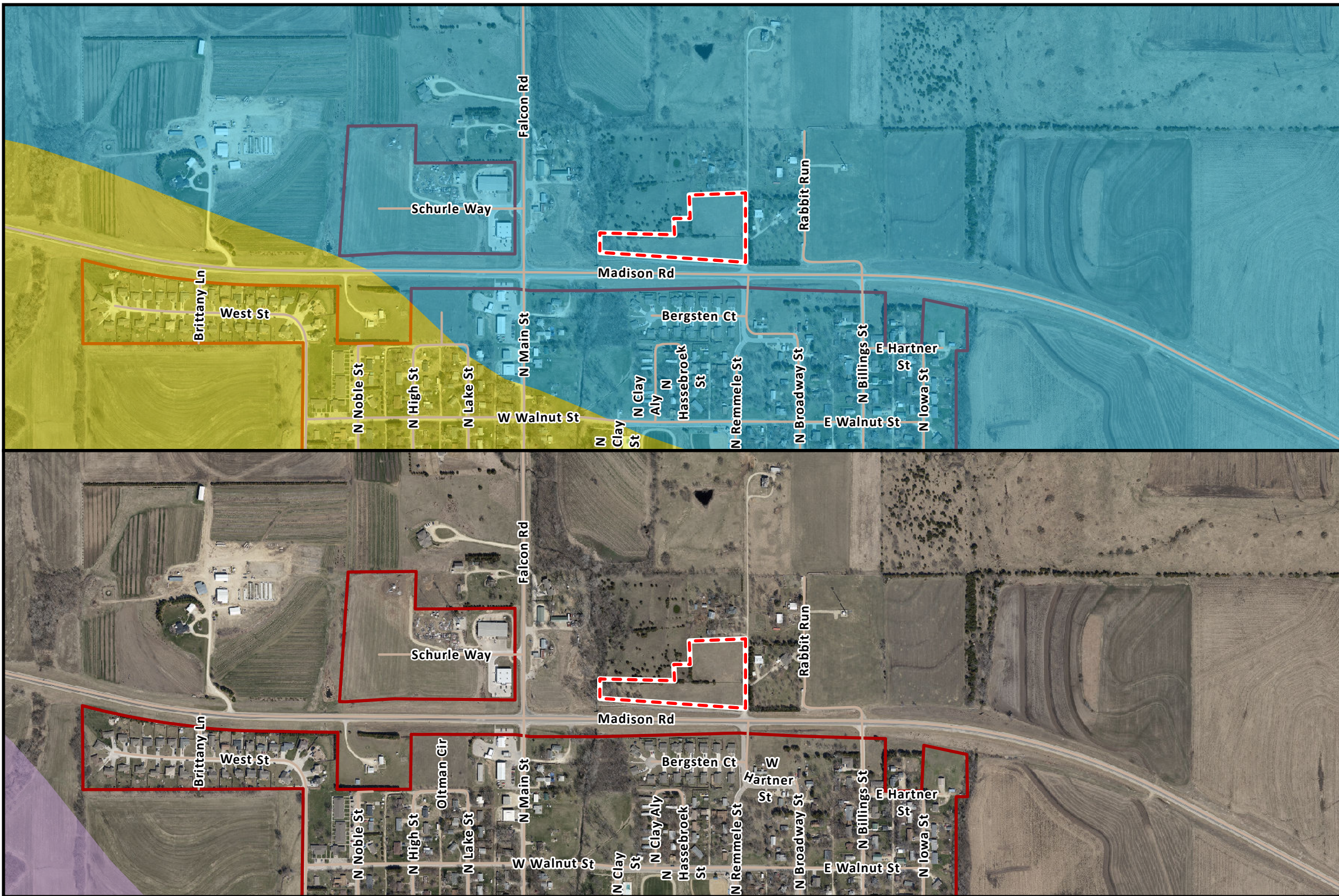
## Legend

### Average Noise Levels

- CDNL 57 (LUPZ)
- CDNL 62 (Zone II)
- CDNL 70 (Zone III)

### Peak Noise Levels Large Caliber

- Large Caliber 115
- Large Caliber 130



Attachment: Staff Report (14685 : Rezone & Plat Fajen Farmhouse Subdivision)



STREAM ORDER

Fajen  
#24-013  
Plat/Replat  
Fajen Farmhouse  
Rezone  
AG to SF-1  
SF-3 to SF-1  
1-9-5

Stream Order

- 1
- 2
- 3
- 4
- 5
- 6

Attachment: Staff Report (14685 : Rezone & Plat Fajen Farmhouse Subdivision)

## Key Map

PROJECT  
LOCATION

Not to Scale

**SANITARY CODE NOTE**

All Lots shall be in compliance with Riley County Sanitary Code.

**BUILDING SETBACK REQUIREMENTS**

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

**ENTRANCE PIPE**

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Roadway Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

**FLOOD NOTE**

This plat lies within FEMA Flood Zone X and Zone A as shown on FIRM Map Number 20161C0212G, effective 3/16/2015. Zone A are areas which have not had a detailed analyses performed and FEMA does not publish a base flood elevation.

**FORT RILEY NOTICE OF POTENTIAL NOISE IMPACTS**

Subdivision is subject to the Notice of Potential Noise Impacts from Fort Riley, Kansas Military Installation and Recommended Noise Attenuation Building Methods recorded on August 17, 2020 in Bk. 881 Pg. 7017

**PUBLICLY GRANTED AND DEDICATED EASEMENTS**

Property owner(s) is/are required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences, and walls) are prohibited within publicly granted or publicly dedicated drainage easements.

**UTILITY NOTE**

Any utility company that locates facilities in any easement shall have the right to prune, remove, eradicate, cut and clear away any trees, limbs, vines and brush on the utility easement now or at any future time and prune and clear away any tree limbs, vines, and brush on utility easement whenever, in the utility companies judgment, such may interfere with or endanger the construction, operation, or maintenance of its facilities, together with the right of ingress to and egress from the utility easement subject to this plat for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing, and with or endangering the construction, operation or maintenance of said facilities.

**ENTRANCE PIPE**

If an entrance pipe is required, the minimum size shall be calculated in accordance with the Riley County Standards for Roadway Design in Platted Subdivisions. In no case, shall the diameter of the pipe be less than 15 inches.

**SURVEY NOTES**

1. Bearings used on this survey are based on Kansas Regional Coordinate System Zone 8 (Manhattan)
2. All dimensions shown on this plat are surveyed, unless noted otherwise.
3. The parent tract for this parcel is recorded in Bk. 462 Pg. 466 and Bk. 784 Pg. 372

**OWNER**PAMELA M. FAJEN  
12200 MADISON RD  
RILEY, KANSAS 66531**SURVEYOR**BRIAN J. WESTBERG, P.S.  
BG CONSULTANTS, INC.  
4806 VUE DU LAC PLACE  
MANHATTAN, KANSAS 66503  
(785)537-7448**CURRENT ZONING**AG (AGRICULTURAL DISTRICT) AND  
SF-3 (SINGLE FAMILY RESIDENTIAL)**PROPOSED ZONING**

SF-1 (SINGLE FAMILY RESIDENTIAL)

**LEGAL DESCRIPTION**

LOT NO. 2, BOWMAN SUBDIVISION NO. 1, RILEY COUNTY, KANSAS and;

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 5 EAST OF THE 6th P.M., RILEY COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON FEBRUARY 26, 2024, AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTHEAST CORNER OF BOWMAN SUBDIVISION NO. 1, A SUBDIVISION IN RILEY COUNTY, KANSAS; THENCE ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1

N. 00°56'32" E. 254.64 FEET; THENCE

S. 88°40'50" W. 333.88 FEET; THENCE

S. 01°24'58" E. 139.95 FEET; THENCE

N. 88°45'48" W. 98.00 FEET; THENCE

S. 01°24'58" E. 96.45 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1; THENCE ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1

S. 88°16'27" E. 421.94 FEET TO THE POINT OF BEGINNING, CONTAINING 2.07 ACRES

**LEGEND**

Section Corner

Set 1/2" x 24" Iron Bar  
w/ "BG CONS PS 1708" Cap

Point Not Found or Set



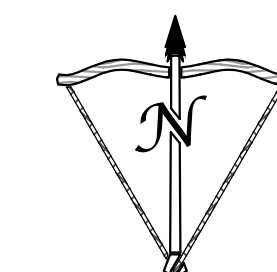
Centerline



Proposed Lot Number



Existing Lot Number



20' 0 40'

Scale: 1"=40'

PRELIMINARY PLAT  
**FAJEN  
FARMHOUSE  
SUBDIVISION**A REPLAT OF LOT 2, BOWMAN SUBDIVISION  
NO. 1 AND A PORTION OF THE NW 1/4 OF  
THE NW 1/4 OF SECTION 1, T9S, R5E,  
IN RILEY COUNTY, KANSAS

Prepared By:

**BG CONSULTANTS**  
ENGINEERS · ARCHITECTS · SURVEYORS4806 Vue du Lac Place, Manhattan, KS 66503  
T: 1.785.537.7448 | Web: [www.bgons.com](http://www.bgons.com)  
Manhattan | Lawrence | Emporia

March 18, 2024

24-1145



# EXCERPT OF MINUTES

## RILEY COUNTY PLANNING BOARD

April 8, 2024

Page 1

### **Fajen – Plat & Rezone**

Chairman Wienck opened the public hearing at the request of Jeremy and Jennifer Fajen, petitioners, and John H. and Pamela M. Fajen, owners, to rezone a tract of land from "AG" (Agricultural District) to "SF-1" (Single Family Residential) and rezone Lot 2 of Bowman Subdivision No.1 from "SF-3" (Single Family Residential) to "SF-1" (Single Family Residential) and plat the tract and Lot 2 of Bowman Subdivision No. 1 into a single lot, all located in Madison Township, Section 1, Township 9 South, Range 5 East, in Riley County, Kansas.

Bob Isaac presented the request and described the background, location, and physical layout of the property. He stated Pam Fajen, the applicant's mother, wishes to continue her small agricultural operation on the remainder of the parent tract and has received preliminary approval for an agricultural exemption from the platting requirements. Mr. Isaac said the applicant wishes to combine Lot 2 of Bowman Subdivision No. 1 with a small portion of his mother's parent tract and plat it into a single lot and rezone the property to SF-1 in order to build a house.

Staff recommended that the Planning Board forward a recommendation of approval to the Board of County Commissioners to rezone a tract of land from "AG" (Agricultural District) to "SF-1" (Single Family Residential) and also rezone Lot 2 of Bowman Subdivision No. 1 from "SF-3" (Single Family Residential) to "SF-1" (Single Family Residential), as it was determined to be in general conformance with the goals and objectives of the comprehensive plan and meets the requirements of the Riley County Land Development Regulations and Sanitary Code.

Staff also recommended the Planning Board approve the Concurrent Plat of Fajen Farmhouse Subdivision, as it was determined that it also meets the minimum requirements of the Riley County Land Development Regulations and Sanitary Code.

Chairman Wienck opened the public hearing and asked if the applicant wanted to speak.

Jeremy Fajen, 209 Bergsten Ct, Riley, KS, stated he is a lifelong resident of Riley County. He said his mother is recently widowed and relies heavily on the agricultural production of her land. Mr. Fajen said he wants to live close to his mother to help her with agricultural production. He said his mother helps him with is disabled child.

There were no proponents or opponents.

Eric Peck moved to close the public hearing. Joe Gelroth seconded. Carried 4-0.

Eric Peck moved to forward a recommendation of approval of the request to the Board of County Commissioners to rezone a tract of land from "AG" (Agricultural District) to "SF-1" (Single Family Residential). Joe Gelroth seconded. Carried 4-0.

Joe Gelroth moved to forward a recommendation of approval of the request to the Board of County Commissioners to rezone Lot 2 of Bowman Subdivision No. 1 from "SF-3" (Single Family Residential) to "SF-1" (Single Family Residential). Jack Platt seconded. Carried 4-0.

Attachment: RCPB Minutes (14685 : Rezone & Plat Fajen Farmhouse Subdivision)

Jack Platt moved to approve the final plat of Fajen Farmhouse Subdivision, as it had been determined to meet the requirements of the Riley County Land Development Regulations. Joe Gelroth seconded. Motion carried 4-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on May 2, 2024, at 9:45 am, in the County Commission Chambers.

**RESOLUTION NO. 050224-**

**RESOLUTION AMENDING THE ZONING MAP OF RILEYCOUNTY  
CONCERNING THE USE OF CERTAIN REAL ESTATE  
LOCATED IN MADISON TOWNSHIP**

**WHEREAS**, pursuant to the provision of Section 3.9 of the Riley County Land Development Regulations, Jeremy and Tiffany Fajen, petitioners, and John H. & Pamela M. Fajen, owners, have requested that the classification of the below described Riley County real property, be changed from Zone “AG” (Agricultural District) to Zone “SF-1” (Single Family Residential); and

**WHEREAS**, the Riley County Planning Board, after appropriate notice conducted a public hearing on April 08, 2024; and

**WHEREAS**, the Riley County Planning Board has submitted its recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending approval of the application; and

**WHEREAS**, More than 14 days have elapsed since the conclusion of the public hearing on the application and no valid protest against the proposal signed and acknowledged by owners of 20% or more of the property proposed to be rezoned or 20% of the total area which is located within 1,000 feet of the boundaries of the property proposed to be rezoned has been filed has been filed with the County Clerk of Riley County, Kansas, and all information presented has been carefully considered by the Board of Commissioners of Riley County, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COUNTYCOMMISSIONERS OF RILEYCOUNTY, KANSAS:**

**Section 1.** That the facts set forth in the Planner's staff report and the recommendation of the Riley County Planning Board filed in the office of the Planning and Development Department have been received and considered by the Board of Commissioners of Riley County, Kansas and have been determined to be the controlling facts concerning the application.

**Section 2.** The request was found to be consistent with one or more of the following criteria as set forth in Golden v. City of Overland Park, 224 K. 591, 584 P.2d 130:

- a. The rezoning is compatible with the character of the neighborhood.
- b. The rezoning is compatible with the zoning and uses of properties nearby.
- c. The subject property is not suitable for the uses allowed by the current zoning.
- d. Removal of the current restrictions by rezoning will not detrimentally affect nearby property.

- e. The subject property has remained vacant as zoned for a substantial time period.
- f. The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- g. The rezoning is consistent with the recommendations of permanent or professional staff.
- h. The rezoning conforms to the adopted comprehensive plan.
- i. The rezoning will not detrimentally affect the conservation of the natural resources of the County.
- j. The rezoning will result in the efficient expenditure of public funds.
- k. The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.
- l. The rezoning is consistent with the recommendation of the Planning Board.

The zoning classification of the following described real estate in Riley County, Kansas:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 5 EAST OF THE 6th P.M., RILEY COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON FEBRUARY 26, 2024, AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTHEAST CORNER OF BOWMAN SUBDIVISION NO. 1, A SUBDIVISION IN RILEY COUNTY, KANSAS; THENCE ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1 N. 00°56'32" E. 254.64 FEET; THENCE S. 88°40'50" W. 333.88 FEET; THENCE S. 01°24'58" E. 139.95 FEET; THENCE N. 88°45'48" W. 98.00 FEET; THENCE S. 01°24'58" E. 96.45 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING ON THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1; THENCE ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1 S. 88°16'27" E. 421.94 FEET TO THE POINT OF BEGINNING, CONTAINING 2.07 ACRES.

is hereby changed from Zone "AG" (Agricultural District) to Zone "SF-1" (Single Family Residential), and that the Riley County Official Zoning Map shall be changed to reflect the amendment, that the original resolution incorporating the said official map by reference is hereby amended and that said official map be reincorporated by reference as amended.

This resolution shall take effect and be in force from and after its publication in the official county newspaper.

GRANTED this day 2<sup>nd</sup> of May, 2024

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

---

John Ford, Chair

---

Greg McKinley, Vice Chair

---

Kathryn Focke, Member

ATTEST:

---

Rich Vargo, Riley County Clerk

Attachment: Resolution Rezoning Approve AG to SF-1 (14685 : Rezoning & Plat Fajen Farmhouse Subdivision)

**RESOLUTION NO. 050224-**  
**RESOLUTION DENYING CHANGING THE ZONING MAP OF RILEY COUNTY**  
**CONCERNING THE USE OF CERTAIN REAL ESTATE**  
**LOCATED IN MADISON TOWNSHIP**

**WHEREAS**, pursuant to the provision of Article 3 of the Riley County Land Development Regulations, Kansas, Jeremy and Tiffany Fajen, petitioners, and John H. & Pamela M. Fajen, owners, have requested that the classification of the below described Riley County real property be changed from Zone “AG” (Agricultural District) to Zone “SF-1” (Single Family Residential); and

**WHEREAS**, the Riley County Planning Board, after appropriate notice conducted a public hearing on April 8, 2024; and

**WHEREAS**, the Riley County Planning Board has submitted its recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending approval of the application; and

**WHEREAS**, More than 14 days have elapsed since the conclusion of the public hearing on the application, and no valid protest against the proposal signed and acknowledged by owners of 20% or more of the property proposed to be rezoned or 20% of the total area which is located within 1,000 feet of the boundaries of the property proposed to be rezoned has been filed with the County Clerk of Riley County, Kansas, and all information presented has been carefully considered by the Board of Commissioners of Riley County, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**  
**COMMISSIONERS OF RILEY COUNTY, KANSAS:**

**Section 1.** That the facts set forth in the Planner's staff report and the recommendation of the Riley County Planning Board filed in the office of the Planning and Development Department have been reviewed and considered by the Board of Commissioners of Riley County, Kansas and have been determined to be the controlling facts concerning the application.

**Section 2.** The request was found to be inconsistent with one or more of the following criteria set forth in Golden v. City of Overland Park, 224 K. 591, 584 P.2d 130:

- a. The rezoning is compatible with the character of the neighborhood.
- b. The rezoning is compatible with the zoning and uses of properties nearby.
- c. The subject property is not suitable for the uses allowed by the current zoning.
- d. Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- e. The subject property has remained vacant as zoned for a substantial time period.

- f. The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- g. The rezoning is consistent with the recommendations of permanent or professional staff.
- h. The rezoning conforms to the adopted comprehensive plan.
- i. The rezoning will not detrimentally affect the conservation of the natural resources of the County.
- j. The rezoning will result in the efficient expenditure of public funds.
- k. The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.
- l. The rezoning is consistent with the recommendation of the Planning Board.

**Section 3.** Using the above criteria, it was determined that the request be DENIED for the following reasons:

1. The rezoning will not result in the efficient expenditure of public funds.

The zoning classification of the following described real estate in Riley County, Kansas:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 5 EAST OF THE 6th P.M., RILEY COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON FEBRUARY 26, 2024, AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTHEAST CORNER OF BOWMAN SUBDIVISION NO. 1, A SUBDIVISION IN RILEY COUNTY, KANSAS; THENCE ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1 N. 00°56'32" E. 254.64 FEET; THENCE S. 88°40'50" W. 333.88 FEET; THENCE S. 01°24'58" E. 139.95 FEET; THENCE N. 88°45'48" W. 98.00 FEET; THENCE S. 01°24'58" E. 96.45 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING ON THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1; THENCE ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 1, BEING THE NORTH LINE OF LOT 2 OF SAID BOWMAN SUBDIVISION NO. 1 S. 88°16'27" E. 421.94 FEET TO THE POINT OF BEGINNING, CONTAINING 2.07 ACRES.

was NOT changed from Zone "AG" (Agricultural District) and to Zone "SF-1" (Single Family Residential).

DENIED this 2<sup>nd</sup> day of May, 2024

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

---

John Ford, Chair

---

Greg McKinley, Vice Chair

---

Kathryn Focke, Member

ATTEST:

---

Rich Vargo, Riley County Clerk

Attachment: Resolution Rezone Deny AG to SF-1 (14685 : Rezone & Plat Fajen Farmhouse Subdivision)

**RESOLUTION NO. 050224-**

**RESOLUTION AMENDING THE ZONING MAP OF RILEYCOUNTY  
CONCERNING THE USE OF CERTAIN REAL ESTATE  
LOCATED IN MADISON TOWNSHIP**

**WHEREAS**, pursuant to the provision of Section 3.9 of the Riley County Land Development Regulations, Jeremy and Tiffany Fajen, petitioners, and John H. & Pamela M. Fajen, owners, have requested that the classification of the below described Riley County real property, be changed from “SF-3” (Single Family Residential) to Zone “SF-1” (Single Family Residential); and

**WHEREAS**, the Riley County Planning Board, after appropriate notice conducted a public hearing on April 08, 2024; and

**WHEREAS**, the Riley County Planning Board has submitted its recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending approval of the application; and

**WHEREAS**, More than 14 days have elapsed since the conclusion of the public hearing on the application and no valid protest against the proposal signed and acknowledged by owners of 20% or more of the property proposed to be rezoned or 20% of the total area which is located within 1,000 feet of the boundaries of the property proposed to be rezoned has been filed has been filed with the County Clerk of Riley County, Kansas, and all information presented has been carefully considered by the Board of Commissioners of Riley County, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COUNTYCOMMISSIONERS OF RILEYCOUNTY, KANSAS:**

**Section 1.** That the facts set forth in the Planner's staff report and the recommendation of the Riley County Planning Board filed in the office of the Planning and Development Department have been received and considered by the Board of Commissioners of Riley County, Kansas and have been determined to be the controlling facts concerning the application.

**Section 2.** The request was found to be consistent with one or more of the following criteria as set forth in Golden v. City of Overland Park, 224 K. 591, 584 P.2d 130:

- a. The rezoning is compatible with the character of the neighborhood.
- b. The rezoning is compatible with the zoning and uses of properties nearby.
- c. The subject property is not suitable for the uses allowed by the current zoning.
- d. Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- e. The subject property has remained vacant as zoned for a substantial time period.
- f. The gain to the public health, safety and welfare by denying rezoning is not as

- great as the hardship imposed upon the individual landowner.
- g. The rezoning is consistent with the recommendations of permanent or professional staff.
  - h. The rezoning conforms to the adopted comprehensive plan.
  - i. The rezoning will not detrimentally affect the conservation of the natural resources of the County.
  - j. The rezoning will result in the efficient expenditure of public funds.
  - k. The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.
  - l. The rezoning is consistent with the recommendation of the Planning Board.

The zoning classification of the following described real estate in Riley County, Kansas:

LOT NO. 2, BOWMAN SUBDIVISION NO. 1, RILEY COUNTY, KANSAS

is hereby changed from “SF-3” (Single Family Residential) to Zone “SF-1” (Single Family Residential), and that the Riley County Official Zoning Map shall be changed to reflect the amendment, that the original resolution incorporating the said official map by reference is hereby amended and that said official map be reincorporated by reference as amended.

This resolution shall take effect and be in force from and after its publication in the official county newspaper.

GRANTED this 2<sup>nd</sup> day of May, 2024

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

\_\_\_\_\_  
John Ford, Chair

\_\_\_\_\_  
Greg McKinley, Vice Chair

\_\_\_\_\_  
Kathryn Focke, Member

ATTEST:

\_\_\_\_\_  
Rich Vargo, Riley County Clerk

**RESOLUTION NO. 050224-  
RESOLUTION DENYING CHANGING THE ZONING MAP OF RILEY COUNTY  
CONCERNING THE USE OF CERTAIN REAL ESTATE  
LOCATED IN MADISON TOWNSHIP**

**WHEREAS**, pursuant to the provision of Article 3 of the Riley County Land Development Regulations, Kansas, Jeremy and Tiffany Fajen, petitioners, and John H. & Pamela M. Fajen, owners, have requested that the classification of the below described Riley County real property be changed from “SF-3” (Single Family Residential) to Zone “SF-1” (Single Family Residential); and

**WHEREAS**, the Riley County Planning Board, after appropriate notice conducted a public hearing on April 8, 2024; and

**WHEREAS**, the Riley County Planning Board has submitted its recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending approval of the application; and

**WHEREAS**, More than 14 days have elapsed since the conclusion of the public hearing on the application, and no valid protest against the proposal signed and acknowledged by owners of 20% or more of the property proposed to be rezoned or 20% of the total area which is located within 1,000 feet of the boundaries of the property proposed to be rezoned has been filed with the County Clerk of Riley County, Kansas, and all information presented has been carefully considered by the Board of Commissioners of Riley County, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF RILEY COUNTY, KANSAS:**

**Section 1.** That the facts set forth in the Planner's staff report and the recommendation of the Riley County Planning Board filed in the office of the Planning and Development Department have been reviewed and considered by the Board of Commissioners of Riley County, Kansas and have been determined to be the controlling facts concerning the application.

**Section 2.** The request was found to be inconsistent with one or more of the following criteria set forth in Golden v. City of Overland Park, 224 K. 591, 584 P.2d 130:

- a. The rezoning is compatible with the character of the neighborhood.
- b. The rezoning is compatible with the zoning and uses of properties nearby.
- c. The subject property is not suitable for the uses allowed by the current zoning.
- d. Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- e. The subject property has remained vacant as zoned for a substantial time period.

- f. The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- g. The rezoning is consistent with the recommendations of permanent or professional staff.
- h. The rezoning conforms to the adopted comprehensive plan.
- i. The rezoning will not detrimentally affect the conservation of the natural resources of the County.
- j. The rezoning will result in the efficient expenditure of public funds.
- k. The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.
- l. The rezoning is consistent with the recommendation of the Planning Board.

**Section 3.** Using the above criteria, it was determined that the request be DENIED for the following reasons:

- 1. The rezoning will result in the efficient expenditure of public funds.

The zoning classification of the following described real estate in Riley County, Kansas:

Lot 2, Bowman Subdivision No. 1, Riley County, Kansas

was NOT changed from “SF-3” (Single Family Residential) to Zone “SF-1” (Single Family Residential).

DENIED this 2nd day of May, 2024

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

\_\_\_\_\_  
John Ford, Chair

\_\_\_\_\_  
Greg McKinley, Vice Chair

\_\_\_\_\_  
Kathryn Focke, Member

ATTEST:

\_\_\_\_\_  
Rich Vargo, Riley County Clerk

**RESOLUTION NO. 050224--****A RESOLUTION APPROVING THE FAJEN FARMHOUSE SUBDIVISION PLAT AND  
ACCEPTING THE STREET RIGHTS OF WAY, EASEMENTS AND LICENSES AS  
SHOWN TO BE DEDICATED ON SAID PLAT**

**WHEREAS**, the Board of Commissioners of Riley County, Kansas, has been presented for approval of the Fajen Farmhouse Subdivision; and

**WHEREAS**, the Board finds that all legal requirements have been met for approval of said plat; and

**WHEREAS**, the Riley County Planning & Development Department has reviewed said plat and found it to be in compliance with the Riley County Sanitary Code; and

**WHEREAS**, the Riley County Planning Board, after appropriate notice, conducted a public hearing on April 8, 2024; and

**WHEREAS**, the Riley County Planning Board, after making a determination that said plat meets the minimum requirements of the Riley County Land Development Regulations, approved said plat; and

**WHEREAS**, all required signatures have been obtained.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COMMISSIONERS OF RILEY COUNTY, KANSAS:**

That the Fajen Farmhouse Subdivision plat is hereby approved, and the Board of Commissioners of Riley County, Kansas hereby accepts all street rights of way, easements and licenses, as dedicated thereon.

ADOPTED this 2<sup>nd</sup> day of May, 2024

BOARD OF COMMISSIONERS  
OF RILEY COUNTY, KANSAS

\_\_\_\_\_  
John Ford, Chair

\_\_\_\_\_  
Greg McKinley, Vice Chair

\_\_\_\_\_  
Kathryn Focke, Member

ATTEST:

\_\_\_\_\_  
Rich Vargo, Riley County Clerk



**PLANNING & DEVELOPMENT**  
*Staff Update*

**Amanda Webb**  
Planning/Special Projects  
Director  
110 Courthouse Plaza  
Manhattan, KS 66502  
Phone: 785-537-6332

## STAFF REPORT

---

**FROM:** Amanda Webb, Planning Director

**MEETING:** May 2, 2024

**SUBJECT:** Planning & Development - Staff Update

**PRESENTER:** Amanda Webb, Planning Director

---

**Enclosures:**

- April PD Update (PDF)
- Staff Update (PDF)



## PLANNING & DEVELOPMENT ENVIRONMENTAL HEALTH

**Date:** May 2, 2024  
**To:** Riley County Board of County Commissioners  
**From:** Amanda Webb, Planning & Special Projects Director  
**Re:** Planning & Development April 2024 Staff Report

---

### Keats Sewer Benefit District

- The Kansas Water Office awarded a \$359,100 Technical Assistance Grant to the Keats project. I am working with KWO on finalizing a grant agreement.
- Kansas Department of Health & Environment awarded Keats/Riley County a \$2,500,000 grant for infrastructure/construction as part of the Small Town Water and Sewer Infrastructure Assistance Grant program. I am working to provide additional requested information to KDHE for the grant agreement.
- The USDA required Environmental Assessment is ongoing. KSHS requested a Phase II Cultural Survey. Working with the County Counselor's Office to prepare a contract/agreement for Buried Past to perform this survey.
- Results from the geotechnical evaluation revealed a higher-than-expected groundwater table. BG Consultants is reviewing options and associated costs for proceeding with the lagoon on the subject property.
- Riley County entered into an option agreement for the land adjacent to Keats Park to perform the necessary soil testing. The actual purchase (transfer of ownership) will only occur if the testing outcomes and funding options for the project come back favorable. The signed agreement was provided to residents after a written open records request was submitted.
- We continue to seek additional funding opportunities.
- Residents have started their own community webpage for the sewer district. We've been keeping in contact with a handful of Keats residents who serve as designated "liaisons" between county staff and the rest of the community.

### Comprehensive Plan update:

- The BOCC has allocated a total of \$150,000 towards consultant services for this project.
- The consultant RFQ was issued April 5 with a submittal deadline of May 3. It was sent to 16 planning firms, posted on the County's webpage, and posted on the American Planning Association's RFQ webpage.
- Once the consultant is on board, we will update the scope of work and tentative timeline. I have pushed the proposed completion date to no later than June 30, 2025.
- Meeting biweekly with Vivienne for public outreach.
- The logo, title, and tagline survey remains available on the website at [www.rileycountyks.gov/plan](http://www.rileycountyks.gov/plan).

Attachment: April PD Update (14738 : Staff Update)

Other:

- There are several Land Development Regulation amendments we will work through this year. Staff has prioritized items to address and created a corresponding calendar for both the Riley County Planning Board and the Manhattan Urban Area Planning Board. All final decisions will be made by the BOCC.
  - Both the Manhattan Urban Area Planning Board and the Riley County Planning Board have held work sessions for the first portion of proposed amendments. Public hearings before both boards will occur in May.
- Retreat planning: The RFQ was issued on April 12, 2024 with a submittal deadline of May 13, 2024. Recipients may submit questions through April 29, 2024.
- Staff changes in P&D – we welcomed Molly Mathis on April 15, 2024 as our new Clerical Assistant. We bid farewell to Sarah Dorsen, who vacated the Clerical Assistant position, on April 26, 2024.

Solid Waste Management Committee:

- The state-mandated 5-year Solid Waste Management Plan update is due May 14, 2024.
- Subcommittees, divided by area of expertise and interest, reviewed each of the chapters and suggested changes and updates.
- The Riley County Planning Board reviewed the proposed amendments at their April 8, 2024 meeting and forwarded a recommendation of approval to the Board of County Commissioners.
- The Solid Waste Management Committee voted to approve the document as presented.
- The BOCC held a public hearing for this item at their April 22, 2024 meeting and voted to approve the document as presented.
- Staff will compile all required materials and transmit to KDHE by the May 14, 2024 deadline.

NG911 committee

- The committee met on February 9.
- EM/EMS/911 is reviewing the list to determine the next road priority.

Current Planning:

- At their April 8, 2024 meeting, RCPB:
  - Heard from Troy Coberly regarding Short Term Rentals
  - Held a public hearing to consider the request of Richard & Mitzi Hood to replat Lot A Lakeview Addition Unit Three and Lot 28 Lakeview Addition into a single lot. Forwarded a recommendation of approval to the BOCC who will hear the request at a subsequent meeting.
  - Held a public hearing to consider the request of Jeremy and Tiffay Fajen and John and Pamela Fajen to rezone a tract of land from Agriculture and Single Family Residential (SF-3) to Single Family Residential (SF-1) and plat the tract and Lot 2 of Bowman Subdivision No. 1 into a single lot. Forwarded a recommendation of approval to the BOCC who will hear the request at a subsequent meeting.
  - Reviewed the 2024 Solid Waste Management Plan. Forwarded a recommendation of approval to the BOCC.
  - Held a public hearing to consider the request of Evergy Kansas Central and David and Donna Cederburg for a Special Use Authorization to establish and operate an electrical substation in Ashland Township. Forwarded a recommendation of denial to the BOCC.
- At the May 13, 2024 meeting, RCPB will:
  - Hold a public hearing to consider the request of Rob Taylor for a front yard variance.

- Hold a public hearing to consider the request of Edard & Shyla Field to replat Lots 7, 31, and 32 of Mobile Gardens along with Lots 1 and 2 of Mobile Gardens Unit Two into one lot.
- Hold a public hearing for a portion of the Land Development Regulation proposed amendments.
- At the May 9, 2024 meeting, MUAPB will hold a public hearing for a portion of the Land Development Regulation proposed amendments.
- One pre-application meeting held:
  - Variance request

Battery recycling educational program:

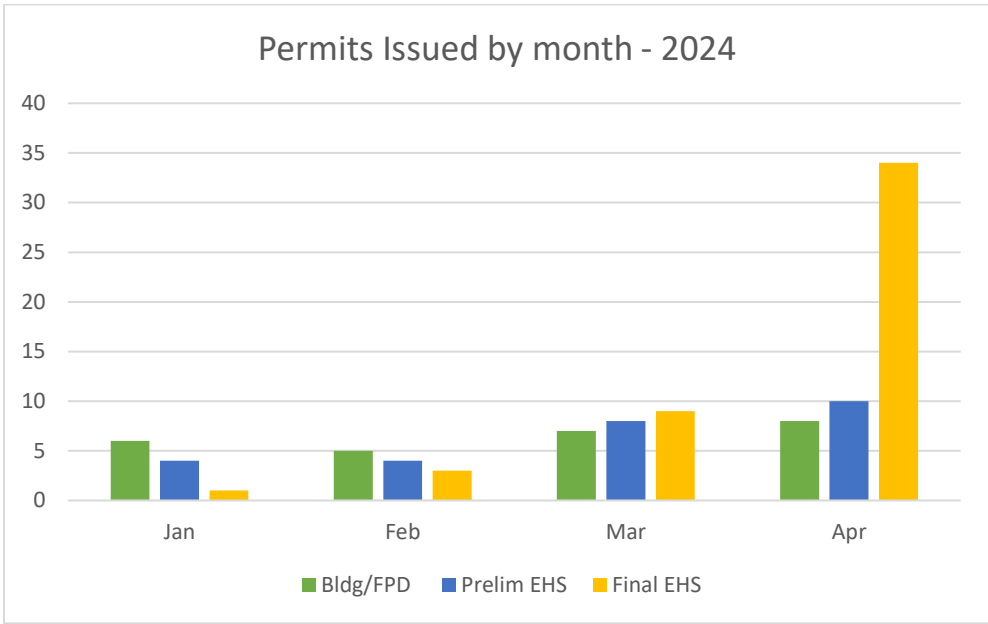
- There are many stickers and flyers still available for distribution. Anyone is welcome to pick up stickers and/or flyers. We are always looking for volunteers to help get stickers on trash totes.
- Website: <https://www.rileycountyks.gov/2024/Battery-Recycling>
- We plan to reenergize this program after the completion of the 5-year plan update.

New permit software implementation:

- GovBuilt is Planning & Development's new permit software program. It is fully online and can be found here: <https://rileycountyks.govbuilt.com/>. All permitting can be done online, but people can still submit paper copies and pay over the counter here in our office.
- P&D staff continue to work with GovBuilt to tailor the system to our needs.

**Also attended/participated in:**

- KAC legislative liaison zoom calls
- Legal roundtable
- Grants discussions w/ Witt O'Briens
- Employee training committee
- Department Head meeting
- Budget & Planning committee
- Downtown Manhattan Inc.
- Flint Hills Wellness Coalition - housing workgroup
- EM/PD/PW coordination meeting



| April 2024 permits issued:                          |    |
|-----------------------------------------------------|----|
|                                                     |    |
| Building/Sign permits:                              | 8  |
| Floodplain development permits:                     | 0  |
| Environmental Health Permits (Preliminary Approval) | 10 |
| Environmental Health Permits (Final/Use)            | 34 |

Planning and Development  
Staff Update  
April 24, 2024

| Projects                                                                    | Staff                       | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Task                                                                                                                                                                                                        | Start Date | Request to Prosecute | Deadline   |
|-----------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------|------------|
| Long Range Planning                                                         |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |            |                      |            |
| Comprehensive Plan Update                                                   | Amanda Webb & Bob Isaac     | Vision 2025 adopted in October 2009 and is need of an update. Held committee kickoff meeting, created survey, issued RFQ with no responses. Community meetings complete. Survey closes December 1. Year to date report to BOCC on December 18th. Presented at community meeting in Leonardville on January 17th. Full committee reconvened on February 13th. Issued RFQ April 5 with due date of May 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Monthly BOCC updates on-going. BOCC allocated \$150K for consultant services.                                                                                                                               | 11/1/2021  |                      | 6/30/2025  |
| Keats Sewer District                                                        | Amanda Webb & EHS staff     | Cost have risen significantly since original estimates and there are concerns with higher property owner cost. BOCC committed \$800,000 in ARPA funding. Held public meetings on March 9th and Sept 20th. BOCC approved amended agreement BG Consultants to evaluate lagoon option. Submitted USDA Application. Submitted KWO grant application in December. Received Geotech results and reviewing options.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Working on the environmental assessment required per USDA. Awarded KWO Technical Assistant Grant - working with KWO on grant agreement. Awarded KDHE infrastructure grant \$2.5m, awaiting grant agreement. | 11/1/2014  |                      | 6/30/2024  |
| NG911 - Private Road Naming                                                 | Amanda Webb & Lisa Daily    | NG911 Committee meeting scheduled for 2/13/2023 to discuss property owners on Boller Road using wrong numbers for their address. Discussed a property owner who applied for a building permit in which there are two tracts of land involved. Driveway is one tract and there the proposed building will be on the other tract which will create a private road. Planning & Development is to contact the property to start the process for the private road name and will assess the \$100.00 road name fee. Property owner decided to look to build elsewhere. Emergency Responders on NG911 Committee agreed to common sense exception and to address the Ashland fire station off of McDowell Creek Road. NG911 meeting was held and the committee agreed for GIS to contact property owners to approve the use of the 12865 and 12869 Boller Rd. Committee met 2/9/2024. Emergency services and the committee want to pursue naming and renumbering Anderson Lane. BOCC didn't approve the renumbering portion of the request in 2020. | Schedule BOCC meeting to seek support for naming and renumbering Anderson Lane.                                                                                                                             | 8/1/2015   |                      | 6/1/2024   |
| Develop Riley County - historic land use changes in Wildcat Creek Watershed | Darrin Hobbs                | Information gathering from NASA complete for report. Report has been finalized. Waiting for end product.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Present report to all participating entities.                                                                                                                                                               | 6/1/2020   |                      | 12/31/2024 |
| Solid Waste Management Plan                                                 | Amanda Webb                 | Five year update due May 14, 2024. Subcommittees are meeting. Held committee meeting on March 28, 2024. Conducted public meeting with RCPB on April 8, 2024. Held BOCC public hearing on April 22, 2024.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SMWP/submittals due to KDHE by May 14, 2024.                                                                                                                                                                | 11/1/2023  |                      | 5/14/2024  |
| Regulations                                                                 |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |            |                      |            |
| Land Development Regulation Amendments                                      | Amanda Webb & Bob Isaac     | Staff is organizing specific amendments and arranging discussions with planning boards. Discussions were held 3/11/24 with RCPB and 3/28/24 with MUAPB. First amendents public hearings are 5/9/24 with MUAPB, 5/13/24 with RCPB and 5/23/24 with BOCC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Conduct public hearings.                                                                                                                                                                                    | 1/1/2024   |                      | 12/31/2024 |
| Grants                                                                      |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |            |                      |            |
| Keats Sewer District                                                        | Amanda Webb                 | Cost have risen significantly since original estimates and there are concerns with higher property owner cost. BOCC committed \$800,000 in ARPA funding. Held public meetings on March 9th and Sept 20th. BOCC approved amended agreement BG Consultants to evaluate lagoon option. Submitted USDA Application. Submitted KWO grant application in December. Received Geotech results and reviewing options.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Working on the environmental assessment required per USDA. Awarded KWO Technical Assistant Grant - working with KWO on grant agreement. Awarded KDHE infrastructure grant \$2.5m, awaiting grant agreement. | TBD        |                      | 6/30/2024  |
| Local Environmental Protection Program (LEPP)                               | Amanda Webb                 | KDHE grant for low income property owners to repair or replacement private wastewater systems. Grant period July 1, 2024 through June 30, 2025. Submitted grant application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Waiting to hear from KDHE on award.                                                                                                                                                                         | 1/1/2024   |                      | 6/30/2025  |
| Current Planning                                                            |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |            |                      |            |
| Wilkerson-Schlegal - Replat                                                 | Bob Isaac                   | RCPB and BOCC hearings conducted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | File plat.                                                                                                                                                                                                  | 6/30/2023  |                      | 6/1/2024   |
| Nelson - Plat                                                               | Bob Isaac                   | RCPB 1/8/2024 meeting cancelled due to inclement weather. Hearing moved to 2/12/2024 meeting. RCPB and BOCC approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Property owner to sign and file plat.                                                                                                                                                                       | 9/15/2023  |                      | 6/1/2024   |
| Maple - Replat                                                              | Bob Isaac                   | RCPB and BOCC approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Property owner to sign and file plat.                                                                                                                                                                       | 12/29/2023 |                      | 6/1/2024   |
| Hood - Replat                                                               | Bob Isaac                   | RCPB and BOCC approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | File plat.                                                                                                                                                                                                  | 12/18/2023 |                      | 5/15/2024  |
| Fajen - Plat & Rezone                                                       | Bob Isaac                   | RCPB recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Conduct BOCC hearing.                                                                                                                                                                                       | 2/26/2024  |                      | 5/2/2024   |
| Evergy - Special Use                                                        | Bob Isaac                   | RCPB recommended denial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Conduct BOCC hearing.                                                                                                                                                                                       | 2/28/2024  |                      | 6/3/2024   |
| Land Development Regulation Amendments                                      | Bob Isaac                   | NOPH published.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Conduct public hearings: MUAPB 5/9/24, RCPB 5/13/24 and BOCC 5/23/24.                                                                                                                                       | 3/28/2024  |                      | 5/23/2024  |
| Replat - Field                                                              | Bob Isaac                   | NOPH published.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Conduct public hearings: RCPB 5/13/24 and BOCC 5/23/24                                                                                                                                                      | 3/5/2024   |                      | 5/23/2024  |
| Variance - Taylor                                                           | Bob Isaac                   | NOPH published.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Conduct BZA public hearing 5/13/23                                                                                                                                                                          | 3/27/2024  |                      | 5/13/2024  |
| Permits                                                                     |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                             |            |                      |            |
| 21-0146-MRWW Worrel                                                         | Ben Hamill & Shelly Woodard | Application received and inspection completed. Spoke to property owner and mailed repair application with no response, additionally lateral field installed unlawfully. Repair application received. Met with Mrs. Worrel, she stated no Conservation money available. Told to contact USDA to see if they would qualify for low interest loan, they never. Sanitary Code Violation 21-0038.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sent a letter on April 12, 2023 requesting they call to set up appointment. To date, no response from Worrell's.                                                                                            | 7/8/2021   |                      | 5/31/2024  |
| 21-0185-ADGR Myers & Maupin (shed)                                          | Darrin Hobbs                | Inspections completed, determined a variance is required. Bob and Darrin contacted property owner. Followed up with Mr. Maupin and advised him to visit the Planner, Bob Isaac. Property owner to date has not contacted the Planner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Send violation notice.                                                                                                                                                                                      | 8/23/2021  |                      | 4/15/2024  |
| 22-010-ACC Meader                                                           | Darrin Hobbs & Ben Hamill   | Application received and processed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Property owner to provide construction plans to determine use of building. I have contacted the owner and he hasn't presented plans yet.                                                                    | 11/4/2022  |                      | 5/31/2024  |
| 23-008-ACC Klein (15120 Green Randolph Rd)                                  | Darrin Hobbs & Ben Hamill   | Application received and processed. Notified property owner that septic tank needs pumped.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Waiting on pumping report. I have contacted the owner and have not received pumping report or a plan of action yet.                                                                                         | 4/13/2023  |                      | 5/31/2024  |
| 23-009-ACC Savener (1299 S Manhattan Ave)                                   | Darrin Hobbs                | Application received and processed. Property owner has applied for floodplain development permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Property owner needs to raise structure 1 additional foot, and submit updated elevation certificate. I have spoken to the property owner regarding this and he is aware.                                    | 4/21/2023  |                      | 4/15/2024  |
| 23-022-MISC Reasoner (2961 Keats Ave)                                       | Darrin Hobbs & Ben Hamill   | Application received and processed. Notified property owner that septic tank needs pumped. Waiting on pumping report. Ben has called and left message for property owner. Property owner has not returned call.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proceed with Sanitary Code violation. Friendly letter sent 12/6/23.                                                                                                                                         | 9/15/2023  |                      | 5/31/2024  |
| 23-026-MISC Savener (1299 S Manhattan Ave)                                  | Darrin Hobbs                | Application received and processed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Site inspection completed. Structure is a dog house. Looking into FP stuff. Needs to wetproof.                                                                                                              | 10/20/2023 |                      | 5/1/2024   |
| 23-050-ACC Connet (3761 Akin Rd)                                            | Darrin Hobbs & Ben Hamill   | Applied to build an accessory building with a wash bay. Will have separate wastewater system for the accessory building. At this time, property owner doesn't know where he wants to put the system. There is not a current pumping report for the home. Property owner said tank was pumped within 5 years by previous owner, looking to see if pumping report can be found.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Send friendly letter. Need Soil Profile Application and Pumping Report.                                                                                                                                     | 11/14/2023 |                      | 5/31/2024  |

Attachment: Staff Update (14738 : Staff Update)

| Projects                                                                           | Staff                          | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Task                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Start Date | Request to Prosecute | Deadline  |
|------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------|-----------|
| 23-023-OPWS Fowler (6825 Summit Ridge Dr)                                          | Ben Hamill                     | On site well collapsed. Doesn't meet state setback requirements. Contacted KDHE and requested variance. Variance was approved. Issued preliminary approval 1/26/2024. Well drilled was dry, driller and property owner looking at second location for well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Contact property owner to find out if second well was drilled. Inspect if well was drilled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 12/28/2023 |                      | 5/31/2024 |
| Property Maintenance Code Violations                                               |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |                      |           |
| Kilner - Unsafe structure                                                          | Darrin Hobbs & Shelley Woodard | Judge Bosch found Kilner in contempt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Starting August 1, he will be assessed a \$100/day fine until property is in compliance. Planning Compliance Specialist to take weekly photos of site. Mr. Kilner hired an attorney (Bernard Irvine) who filed a motion to docket appeal out-of-time asked for extension to 2/8/23. Mr. Irvine filed a 2nd extension of time, new date is March 10. Waiting on the opinion from the Court of Appeals. The Court of Appeals ruled they could not hear the appeal. I sent a letter to Mr. Irvine that we will see if the property is brought into compliance the 2nd week of Jan. 2024. If not, we'll ask the court to enforce the order. Met with Mr. Kilner and his attorney on 1/24/24. Darrin is going to walk the property with him on 1/29 and identify everything that the order said must be cleaned up. He will go back out to double check after 2/28. Mr. Kilner was informed there will be no extension of that deadline. Darrin will schedule a time to check on the property to see if any progress has been made. If not, we will file with the court to have the order enforced. Darrin is meeting with Mr. Kilner at the property on May 8, 2024.                                                                                                                                                                                                                                                                                   | 8/18/2016  |                      | 5/28/2024 |
| 23-003-CE Howard - 1303 Howard                                                     | Darrin Hobbs                   | Inspection conducted. Sent Notice and Order to Abate Violation. Property owner trying to find someone to remove old, abandoned mobile homes. Final notice sent to property owner. Property owner called stating she has not had any luck finding anyone to remove them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Property owner called on 10/25/2023, has someone coming to give her an estimate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2/9/2023   |                      | 5/15/2024 |
| Zoning Violations                                                                  |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |                      |           |
| Doyle - Illegal mobile home storage (Mobile Gardens) Violation #10-0050            | Shelly Woodard                 | Staff met with Charlotte Doyle on 8.31.2021. Staff inspected septic on July 25, 2022. Septic surfacing. Met with property owner regarding Lot 17. Home is not occupied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Replat property and comply with zoning regulations. Replace septic system. Home is unoccupied. Sent a letter on April 12, 2023 requesting they call to set up appointment. Meeting scheduled for May 11, 2023. Met with property owner. She is trying to sell to neighbor. This property has changed ownership. The new owner is working in purchasing some adjacent lots from the Doyles so they can bring this into compliance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 12/17/2010 | 4/17/2012            | 6/1/2024  |
| Doyle - Illegal salvage at residence Violation #05-0007                            | Shelly Woodard                 | Counsel and staff conducted site visits on 6/25/18 and 7/20/18. Mr. Doyle removed 600 tires and 3 mobile homes. March 19, 2021 conference with Mr. Doyle. He agreed to remove vehicles from the property. Set site visit for May 4, 2021. Mr. Doyle has moved about 90% of the tires and multiple vehicles to a staging area across from his residence for a salvage company to pick up, and will continue with this method. Next site visit 08/11/2021. Staff met with Charlotte Doyle on 08/31/2021. 6/15/2023 Staff and Counsel meet with Charlotte to come up with a plan on removing vehicles and mobile homes from the property. 7/13/2023 Darrin met with Charlotte to talk about the plan and also to review pictures provided of things needing remove. Darrin will be visiting the property 7/18/2023 to view first hand. | Sent a letter on April 12, 2023 requesting they call to set up appointment. Meeting scheduled for May 11, 2023. Met with property owner. Set goad to remove a certain number of cars by 8/31 or a course case will be filed. 6/15/2023 Counsel and staff stet down with Charlotte and came up with a plan for removal of vehicles. Charlotte thought there were around 30 vehicles. Goal is to be down to 20 by 8/31/23, down to 10 by 10/10/23, and down to compliant vehicles by 11/9/23. There were more vehicles than originally thought and so numbers were revised accordingly. If they fail to meet any deadlines an injunction will be filed. The Doyles have removed some vehicles. They are currently about 3 vehicles behind schedule. Working to get them back on track. Darrin is going to go out in early January to see if they have gotten back on track. If not, we'll start the process of filing for an injunction in court. The Doyles have stopped making forward progress. Next step is to file a petition asking for an injunction. The petition has been filed and the Doyles have hired counsel. Will attempt to meet with their counsel to see if we can get an agreement for process. Met with their attorney. He is going to meet with Charlotte about getting back on track. I agreed to wait on asking for a hearing until he has had a chance to meet with them. Darrin is meeting with the Doyle's on May 7, 2024. | 4/15/2013  | 9/14/2023            | 5/30/2024 |
| Kilner - Unsafe structure                                                          | Darrin Hobbs & Shelley Woodard | Judge Bosch found Kilner in contempt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Starting August 1, he will be assessed a \$100/day fine until property is in compliance. Planning Compliance Specialist to take weekly photos of site. Mr. Kilner hired an attorney (Bernard Irvine) who filed a motion to docket appeal out-of-time asked for extension to 2/8/23. Mr. Irvine filed a 2nd extension of time, new date is March 10. Waiting on the opinion from the Court of Appeals. See above about ruling. The Court of Appeals ruled they could not hear the appeal. I sent a letter to Mr. Irvine that we will see if the property is brought into compliance the 2nd week of Jan. 2024. If not, we'll ask the court to enforce the order. Met with Mr. Kilner and his attorney on 1/24/24. Darrin is going to walk the property with him on 1/29 and identify everything that the order said must be cleaned up. He will go back out to double check after 2/28. Mr. Kilner was informed there will be no extension of that deadline. Darrin will schedule a time to check on the property to see if any progress has been made. If not, we will file with the court to have the order enforced.                                                                                                                                                                                                                                                                                                                             | 8/18/2016  |                      | 5/28/2024 |
| 20-0063 - Satterlee: Inoperable vehicles and campers                               | Darrin Hobbs                   | Determined to be a violation. Notification letter sent. The Notification letter was resent by me for a fresh start to make contact with the property owner. Contacted property owner on what still needs to be removed and provided an aerial map. I sent another letter to the property owner on 6/15/2022, stating that this will be turned over to legal if no progress is made.                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Request to Prosecute pending.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 9/27/2021  |                      | 5/30/2024 |
| 21-0053 Myers - building within setback                                            | Darrin Hobbs                   | Inspection completed, Notification Letter and Violation Notice sent. Applications received and processed. Bob and Darrin visited with property owner on 10/27/21 to confirm a Certificate of Survey would need to be done to confirm if the "well house" is located in the building setback. Property owner indicated he wanted to seek legal counsel. 6/15/2022 I spoke with Wes Maupin today about where he was at on the variance process. I encouraged him to call and talk to Bob about the situation. He said that he has never talked to Bob. Send notice of violation for failing to apply for a variance.                                                                                                                                                                                                                  | Send letter to property owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7/14/2021  |                      | 5/30/2024 |
| 20-0090 Fishgill LLC - Illegal auto repair and salvage operation 1312 Pillsbury Dr | Darrin Hobbs                   | Inspection completed and sent notification letter to property owner. Property owner wants an extension to remove tenant. Vehicles being removed. Sent notice of violation. No response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Send notification letter. Working with legal on violation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 12/22/2020 |                      | 5/30/2024 |

Attachment: Staff Update (14738 : Staff Update)

| Projects                                                                              | Staff                          | Status                                                                                                                                                                                                                                                                                                                                                                                                          | Task                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Start Date | Request to Prosecute | Deadline  |
|---------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------|-----------|
| L21MHP-0004 TDJ Stables                                                               | Darrin Hobbs & Shelley Woodard | Renewal applications and fees received. License can't be issued until property is compliance sanitary code. EHS conducted site inspection, not in compliance with sanitary code.                                                                                                                                                                                                                                | Legal counsel to determine next course of action. The next step is to meet with the owner of TDJ Stables and go over the variance process. Then the next step after that is to draft a variance. Shelley is going to work one up to be presented after meeting with the property owner. A draft should be ready some time in early to mid January. The property owner has officially requested a variance. Variance packet has been sent to hearing office and meeting scheduled for 2/8/2024. The variance has been granted by the BOCC and now they just need to do the inspection to renew the license. Legal has closed violation. Compliance Specialist to renew license.                                                                | 11/20/2020 |                      | 5/30/2024 |
| 21-0019 Britt - non compliance in flood hazard area/floodway                          | Darrin Hobbs & Shelley Woodard | Temporary Agreed Injunction filed with the Court. Review dates: July 15-DWS, August 15-No Rise, September 15-Riley County permit, November 1-Remove trees.                                                                                                                                                                                                                                                      | Settlement agreement filed. Darrin Hobbs to monitor for compliance, Darrin to monitor compliance and set contract date. Riley County FPD Permit issued 5/24/2022, and remove trees from property. Shelley sent a letter to Britt's attorney who said she would follow up with her client about the remaining issues. Shelley has reached out to Britt's attorney again to ask about progress. We may have to inform the court at some point that the final cleanup has not progressed.                                                                                                                                                                                                                                                        | 4/6/2021   |                      | 5/30/2024 |
| 22-008-CE Fowler-641 Zeandale Rd                                                      | Darrin Hobbs & Shelley Woodard | Building without a building permit.                                                                                                                                                                                                                                                                                                                                                                             | Craig sent a letter and permit form requesting the completed permit application and check by April 28, 2023. Waiting on bank foreclosure. Court systems are down. Court systems just started coming back on line. Will see if there is any movement in the foreclosure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3/16/2023  |                      | 5/30/2024 |
| 23-007-CE Jones - 3981 Zeandale Rd                                                    | Darrin Hobbs & Shelley Woodard | Inspection conducted on 3/9/23 and confirmed someone is living a camper. Sent notification letter. No response from property owner, sent notice of violation and final notice of violation. Conducted final site inspection on 4/24/23 and someone is still living in camper.                                                                                                                                   | Sent to Counselor's office to prosecute. Court system is down. Still need to contact RCPD. Trailer has been moved but appears to be occupied. Darrin is going to reach out to RCPD about accompanying him to check if it is occupied and then we can file an injunction in court if it still is. Darrin has not made contact to confirm if it is occupied. P&D went out and it appears there may be someone living there still but we don't have enough evidence at this point to move forward with enforcement from the Counselor.                                                                                                                                                                                                           | 3/16/2023  | 5/15/2023            | 5/30/2024 |
| 23-015-CE Miller - 1382 Pillsbury Dr                                                  | Darrin Hobbs & Shelley Woodard | Friendly letter sent 9/28/23. 10/13/2023 friend of property owner can into office and met with Darrin & Shelly Woodard. It was recommended that property owner set up time speak with us. Notice of Violation sent 10/23/23. Meeting with property owner was scheduled for 11/15/2023. Property owner called 11/15/2023 will be meeting with an attorney 11/16/2023. Final Notice of Violation sent 11/15/2023. | Meet with property owner 12/1/2023. Working with legal on violation. Mr. Miller sent an application to the state to operate a salvage yard. That was denied. The state also revoked his dealer license. A notice of violation has been sent. We met with Mr. Miller on 12/1/23. He has agreed to start removing cars and work with Darrin. He is going to remove 30 cars per month and if he falls behind we will file a petition with the court. Darrin is working with Mr. Miller to go out and check on progress. They are aiming for the week of 1/29. Mr. Miller made good progress in December but has not made additional progress. The property is now up for sale. Next step is likely to file an enforcement action with the Court. | 9/28/2023  |                      | 5/30/2024 |
| 23-016-CE Miller - 1420 Pillsbury Dr                                                  | Darrin Hobbs & Shelley Woodard | Friendly letter sent 9/28/23. 10/13/2023 friend of property owner can into office and met with Darrin & Shelly Woodard. It was recommended that property owner set up time speak with us. Notice of Violation sent 10/23/23. Meeting with property owner was scheduled for 11/15/2023. Property owner called 11/15/2023 will be meeting with an attorney 11/16/2023. Final Notice of Violation sent 11/15/2023. | Meet with property owner 12/1/2023. Working with legal on violation. Mr. Miller sent an application to the state to operate a salvage yard. That was denied. The state also revoked his dealer license. A notice of violation has been sent. We met with Mr. Miller on 12/1/23. He has agreed to start removing cars and work with Darrin. He is going to remove 30 cars per month and if he falls behind we will file a petition with the court. Darrin is working with Mr. Miller to go out and check on progress. They are aiming for the week of 1/29. Miller made good progress in December but has not made additional progress. The property is now up for sale. Next step is likely to file an enforcement action with the Court.     | 9/28/2023  |                      | 5/30/2024 |
| Sanitary Code Violations                                                              |                                |                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |                      |           |
| 23-CES-004 Innes - Alternative system pump and alarm float not working.               | Ben Hamill                     | Friendly notification by phone 12-14-22, no reply. Notice of Violation sent 1-20-23. Received repair permit.                                                                                                                                                                                                                                                                                                    | Wait for replacement of failed alarm and pump. Offer LEPP grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 12/14/2022 |                      | ABATED    |
| 21-0038 Worrell - Sanitation Violation                                                | Ben Hamill                     | Spoke to property owner and mailed repair application with no response, additionally lateral field installed unlawfully. Repair application received, no work done. Referred to legal for enforcement.                                                                                                                                                                                                          | Met with Mrs. Worrel, she stated no Conservation money available. Told to contact USDA to see if they would qualify for low interest loan, they never. Legal sent compliance letter 08.05.2021. Staff to review compliance options. Counsel preparing a letter requesting a call to set up meeting (to include new staff). Sent a letter on April 12, 2023 requesting they call to set up appointment. To date, no response from Worrell's. Ben plans to reach out in the near future once there is more money available and see if they'll apply. If they won't, we'll evaluate for legal action.                                                                                                                                            | 6/23/2021  |                      | 5/31/2024 |
| 21-0048 Wurtz - lagoon fencing requirement not completed                              | Ben Hamill                     | Violation letter sent to property owner. Counsel sent a letter to property owner. Fencing deadline 8/31/2021 and seeding deadline 9/30/2021. No trespassing sign placed at entrance. Legal to to schedule meeting with staff.                                                                                                                                                                                   | Counsel preparing a letter requesting a call to set up meeting (to include new staff). Sent a letter on April 12, 2023 requesting they call to set up appointment. Mrs. Wurtz called. They are not living on the property. Will call once they are and lagoon is complete. Signed agreement is in place for property owner to install fence and seed. Need to check to see if this has been done. If not proceed with violation process. Property owner applied for Repair permit to replace the lagoon and fill in existing lagoon. This will remedy the existing violation but we will monitor for compliance.                                                                                                                              | 7/9/2021   |                      | 5/31/2024 |
| 22-0016 Bath - sewage on ground                                                       | Ben Hamill                     | Sent Emergency Order to property owner. Spoke with property owner and agreed to make repairs.                                                                                                                                                                                                                                                                                                                   | Home condemned until repairs are made. Home is vacant and waiting on property owner to replat so lateral field can be replaced. This property was sold and the new owner is working to try to purchase the surrounding property from the Doyles to correct the problem.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 7/22/2022  |                      | 7/1/2024  |
| 23-CES-005 Bean - Alternative system blower not working. Failed pump report on field. | Ben Hamill                     | Friendly letter sent 12-19-22, no reply. Notice of Violation sent 1-20-23. \$100.00 inspection fee final notice was due 1-19-23 and has not been paid yet.                                                                                                                                                                                                                                                      | Set up meeting with legal counsel. Shelley confirmed both brothers are represented by counsel and one is trying to force a sale of the property. Will work with Ben to determine next steps from P&D.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 12/14/2022 |                      | 5/31/2024 |

Attachment: Staff Update (14738 : Staff Update)