



**Board of Riley County
Commissioners
Regular Meeting
Agenda
August 22, 2024**

115 North 4th Street
Manhattan, KS 66502
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. Bid Recommendation Stainless Steel Dump Box
4. Sign Riley County Employee Action Form(s)
5. Approve payroll/accounts payables (when completed)

Review Minutes

6. Board of Riley County Commissioners - Regular Meeting - Aug 19, 2024 8:30 AM

Review Tentative Agenda

7. Tentative Agenda

Press Conference Topics

8. Discuss Press Conference

9:00 AM

Barry Wilkerson, County Attorney

9. Staff update

9:15 AM

Clancy Holeman, Counselor/Director of Administrative Services

10. Administrative Work Session

9:35 AM

Cory Meyer, IT/GIS Director

11. IT/GIS Staff Update - August 2024

9:50 AM

Brittany Phillips, Budget and Finance Officer

12. 2025 Riley County Fire District #1 Public RNR Hearing

- 10:05 AM** **Brittany Phillips, Budget and Finance Officer**
13. 2025 Riley County Public Budget Hearing
- 10:20 AM** **Julie Gibbs, Health Department Director**
14. RCHD Out of State Travel Request
- 10:30 AM** **John Ellermann, Public Works Director/County Engineer**
15. Out-of-State Travel Request
- 10:35 AM** **Bob Isaac, Planner**
16. Amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

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.



PUBLIC WORKS
Recommendations

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

COMMISSION AGENDA REPORT

FROM: Andrea Rose, Administrative Assistant II.

MEETING: August 22, 2024

SUBJECT: Bid Recommendation Stainless Steel Dump Box

PRESENTER: Alvin Perez, CPM Operations/ Fleet Manager

BACKGROUND

Public Works Staff has reviewed the bid submitted by American Equipment Co., of Kansas City, KS and would like to move forward with the purchase of the Stainless Steel Dump Box for the submitted bid mount of \$40,727.

RECOMMENDATION(S)

Recommend moving forward with the purchase of the Stainless Steel Dump Box from American Equipment Co., of Kansas City, KS, this was the only bid received and it meets the required specifications.

POSSIBLE MOTION(S)

Move to approve

Move to deny

Move to modify

Move to table

No action required.

Enclosures:

- Dump Body - Bidders Summary List (XLSX)
- American Equipment Co_Proposal SS Dump Body (PDF)

One Stainless-Steel Dump Box				
Bid opening August 15, 2024 9:50am				
Company	SS Dump Body	Total	Est. Delivery Date	Notes
American Equipment Co Attn: John Blogin 3250 Harvester Kansas City KS 66115	\$ 40,727.00	\$ 40,727.00	18-20wks	PW Staff Recommendation
Master Tech Truck & Equipment Attn David Williams 5115 N Broadway Wichita KS 67219	N/A			
Mid America Equipment Beleville, KS	N/A			
Reed & Co Attn: Don Ebert 4455 KS-99 Wamego, KS 66547	N/A			

Attachment: Dump Body - Bidders Summary List (14985 : Recommendation_2024 SS Dump Box)

Notice is hereby given that bids for the purchase of a Stainless-Steel Dump Box, will be received by the Board of County Commissioners, Riley County, Kansas, at the office of the County Clerk, 110 Courthouse Plaza, Manhattan, Kansas 66502, until 5:00 p.m., Wednesday August 14, 2024, and publicly opened in the Commissioner office at 9:50a.m., Thursday, August 15, 2024.

This is a proposal of AMERICAN EQUIPMENT CO., 3250 HARVESTER ROAD KANSAS CITY, KS
(Company Name) (Address) 66115
for the following described item:

The undersigned agrees and states that he is thoroughly familiar with the requirements of this proposal, the specifications, and plans and that the same are a part of this proposal.

In compliance with the above invitation for bid, and proposal and subject to all conditions thereof, the undersigned offers, and agrees, if this bid is accepted, to furnish any or all of the items upon which prices are quoted, at the price set opposite each item, F.O.B., Manhattan, Kansas.

The undersigned agrees not to withdraw this bid for thirty (30) days after the date specified in the Notice to Bidders.

The right to reject any or all proposals and to waive technicalities is reserved by Riley County. Bids on other than this form will not be accepted.

Title: SALES

Date: _____

DUMP BOX SPECIFICATIONS

SCOPE: To install a new stainless steel dump box on a 2024 F550 84" CA Diesel **OK**

The following specifications shall apply to the purchase of the new dump box of the current model year. The truck will be utilized by the Public Works Department for hauling rock, gravel, asphalt, sand, soil, and other road materials. **OK**

Riley County will deliver the truck to the builder and successful bidder will be responsible to return finished truck back to Riley County. **OK**

DUMP BOX

- Rugby Eliminator 11' Stainless Steel dump body or equivalent **OK**
- 17" Fixed sides **OK**
- 10-gauge sides construction **OK**
- Fully boxed top rail **OK**
- Fully boxed tailgate with at least two vertical braces **OK**
- Floor 3/16" AR 450 **OK**
- Pockets for sideboards **OK**
- ½ cab shield with window **OK**
- LED Lighting **OK**
- 18"x18"x36" underbody stainless-steel toolbox **OK**
- Mud flaps **OK**
- Back-up alarm **OK**
- LED amber light bar on cab shield **OK**
- Buyers bed vibrator 900lbs **OK**
- Manual bed pull-tarp **OK**
- Class V heavy duty hitch with 2 ½ receiver and RV style trailer plug **OK**

HOIST

- SR 4020 hoist includes subframe class 40 or equivalent **OK**
- Capacity range of 9.5 to 13 tons **OK**

HYDRAULICS

- Set up to operate double acting hoist and road groom machine **OK**
- Hydraulics ran to the rear of bed to run 11' road groom from Road Broom Manufacturing (S#RG6975) **OK**
- VT-15 Hydraulic reservoir with valve enclosure or equivalent **OK**
- PTO/Pump combo for a Super Duty (automatic transmission) **OK**
- High-capacity suction strainer and one 5 microns return line filter **OK**

CERTIFICATIONS

Certification of the quality steel used to construct the dump body shall be supplied to Riley County by the manufacturer. **OK**



EQUIPMENT CO.
 3250 Harvester Road
 Kansas City, Kansas 66115
 (Phone) 913-342-1450 (Fax) 913-342-1377
 sales@americanequipment.us

QUOTATION

DATE	Quotation #
8/5/2024	080524/26JB

NAME / ADDRESS
Riley County Public Works 6215 Tuttle Creek Blvd. Manhattan, KS 66503

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	FAX #
18 to 22 weeks	Due on Rece...	JLB	KC, KS	785-539-2981	785-565-6296
QTY	ITEM	DESCRIPTION	U/M	COST	Total
1	RU-Equipm...	Bid due date is 08-14-2024 at 5 PM 2024/25 Ford F-550 84" CA Diesel Rugby Eliminator 11 Stainless Steel Dump Body: - Stainless Steel Dump w/ 17" fixed sides (4-5 Yard) - Carbon steel, crossmemberless understructure with 3/16" AR450 floor - Fully boxed top rail - EZ-LATCH™ tailgate / Patented - Fully boxed perimeter tailgate w/2 braces - LED S/T/T/B light in rear corner posts - 1/2 cab shield w/window - 1 1/4" diameter top and 1" bottom stainless steel hinge pins - 900 LB. vibrator - LED amber mini light bar - Manual pull tarp Hoists: - SR 4020 hoist includes subframe -class 40 Force America Hydraulics: - Set up to operate double acting hoist & road groom machine - VT-15 hydraulic reservoir with valve enclosure - PTO / Pump combo for Super Duty - Mud Flaps & backup alarm - 18" x 18" x 36" underbody stainless steel toolbox - Class V heavy duty hitch with 2 1/2" receiver & trailer plug ALL OF THE ABOVE INSTALLED		40,727.00	40,727.00
Quoted by John Blogin				Total	\$40,727.00

This quote is valid for 30 days. Applicable taxes not included.

Attachment: American Equipment Co_Proposal SS Dump Body (14985 : Recommendation_2024 SS Dump Box)

LR SERIES: LOW MOUNT SCISSOR HOISTS

Rugby's LR series hoists boast a complete line-up of low mount scissor hoists for a variety of conversion and dump applications. The LR series was specifically created with a low profile, so as not to add excess height to the body. Applicable for body lengths 7'-22' and ranging in lifting capacities from 2.6 to 35.7 tons, the LR Series has model that will work for you!



Model	LR-3510A***	LR-416B	LR-165A	LR-25B	LR-26C	LR-623	LR-28A	LR-2355	LR-2066	LR-2866A
Body Lengths	7' - 10'	8' - 12'	8' - 12'	12' - 15'	12' - 16'	10' - 16'	12' - 18'	10' - 18'	16' - 20'	18' - 22'
NTEA Class	A	B / 10	C / 20	D / 40	E / 50	50	F / 60	F / 60	G / 70	J / 90
# of Cylinders	1	1	1	1	1	1	1	2	2	2
Bore	3.5"	4"	5"	5"	6"	6"	6"	5"	6"	6"
Stroke	10"	16"	16"	20"	20"	23"	28"	23"	20"	28"
Rod Diameter	1.5"	2"	2"	2"	2.5"	2.5"	2.5"	2"	2.5"	2.5"
Mounting Height	5"	5.75"	5.75"	7.5"	7.25"	8"	8.5"	8.5"	8.5"	10.5"
Recommended CA/CT	N/A	60 - 84" CA	60 - 84" CA	84 - 120" CA	84 - 120" CA	84 - 138" CA	108 - 168" CA	84 - 138" CA	120 - 186" CT	138 - 202" CT
Capacity Range*	2.6 - 4.3 T	4.1 - 10.2 T	6.3 - 15.3 T	7.7 - 14.7 T	10.6 - 26 T	13.4 - 33.5 T	10.9 - 20 T	15.6 - 27.8 T	13.5 - 27 T	18.8 - 35.7 T
Approx. Weight	250 lbs	405 lbs	500 lbs	550 lbs	800 lbs	972 lbs	865 lbs	950 lbs	1010 lbs	1230 lbs
Available Hydraulics**	SA, DA	SA, DA, DM	SA, DA, DM	SA, DA, DM	DA, DM	DA, DM	DA, DM	DM	DM	DM

*See Rugby Truck Hoist Capacity Reference Charts for full details

**Hydraulics: SA = Single Acting, DA = Double Acting, DM = Direct Mount

***LR-3510A hoist is for flatbed applications only

LR-2066 and LR-2866A hoists are recommended for tandem axle trucks
Subframe optional for the LR-26C, LR-623, LR-28A and LR-2355 Hoists

SR SERIES: SUBFRAME SCISSOR HOISTS

Rugby's SR series line of subframe scissor hoists are designed to reduce installation time and make hoist application easier. Built with an incorporated body prop and table top rear hinge, the SR series is estimated to reduce installation time by at least 10-15%. Subframes are available to accommodate 60" CA and 84" CA chassis.



Model	SR-4016	SR-4020	SR-5020
Body Lengths	8' - 12'	9' - 14'	10' - 14'
NTEA Class	D / 40	D / 40	E / 50
# of Cylinders	1	1	1
Bore	5.5"	5.5"	6"
Stroke	16"	20"	20"
Rod Diameter	2"	2.25"	2.5"
Mounting Height	9.6"	10.5"	11.3"
Recommended CA/CT	60 - 84" CA	60 - 108" CA	84 - 120" CA
Capacity Range*	7.7 - 17 T	9.6 - 13.3 T	10.8 - 17 T
Approx. Weight	460 lbs	650 lbs	710 lbs
Available Hydraulics**	SA, DA, DM	SA, DA, DM	DA, DM

*See Rugby Truck Hoist Capacity Reference Charts for full details

**Hydraulics: SA = Single Acting, DA = Double Acting, DM = Direct Mount

Notes:

Capacity includes both payload and body weight

Capacity is based on 3,200 PSI with water-level load



**ALL RUGBY HOISTS ARE COVERED
BY OUR 3-YEAR WARRANTY**



Rugby Manufacturing
Rugby, ND • 701-776-5722 • Fax 701-776-6235
Email: sales@rugbymfg.com

www.rugbymfg.com



Packet Pg. 10



TOUGH AS NAILS. EASY CHOICE.

> STAINLESS STEEL RUGBY ELIMINATOR LP

TACKLE THE TOUGHEST JOB WITH A DUMP BODY OF STEEL.

Corrosion-resistant and more durable than high-tensile steel, the stainless steel Eliminator LP makes a statement on any jobsite: You're here to work, and look good doing it.

Made with 201 #4 polished stainless steel, this shining workhorse is built with a one-piece floor, dirt-shedding sides, a centrally located quick release lever (fold-down side models only) and the patented EZ - LATCH™ system.



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: August 22, 2024

SUBJECT: Sign Riley County Employee Action Form(s)

PRESENTER: Elizabeth Ward, Human Resources Director

Enclosures:

- 2024-08 PW VFisher EAF (DOCX)
- 2024-08 PW KArpon EAF (DOCX)

RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

Full Legal Name: Victoria Fisher**Status Change Date:** 08/20/2024**Status Change:** New Hire**Date of Hire:** 09/09/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** Custodian I**Position Type:** Reg Full-Time**Pay Range:** Range 1**Pay Type:** Hourly**Base Rate:** \$17.69**Annualized Pay:** \$36,795.20**Funds Codes:** 1-General/40-Public Works**Supervisor:** Jeremiah Noll**Department Head:** John Ellerman

BoCC Chair _____

Date: _____

BoCC Member _____

Date: _____

BoCC Member _____

Date: _____

Attachment: 2024-08 PW VFisher EAF (14994 : Employee Action Form (Green Sheet))

RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

Full Legal Name: Kim Arpon**Status Change Date:** 08/20/2024**Status Change:** New Hire**Date of Hire:** 09/16/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** Utility Tech**Position Type:** Reg Full-Time**Pay Range:** Range 10**Pay Type:** Hourly**Base Rate:** \$25.13**Annualized Pay:** \$52,270.40**Funds Codes:** 1-General/40-Public Works**Supervisor:** Evan McMillan**Department Head:** John Ellerman

BoCC Chair _____

Date: _____

BoCC Member _____

Date: _____

BoCC Member _____

Date: _____

Attachment: 2024-08 PW KArpon EAF (14994 : Employee Action Form (Green Sheet))



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
August 26, 2024**

115 North 4th Street
Manhattan, KS 66502
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

Review Minutes

Press Conference Topics

Review Tentative Agenda

9:30 AM

Press Conference

10:10 AM

Clancy Holeman, Counselor/Director of Administrative Services

1. Administrative Work Session

10:30 AM

Megan Lewis, Community Corrections Interim Director

2. Staff update

12:00 PM

Intergovernmental Luncheon

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: 08-26-24 tentative agenda (14229 : Tentative Agenda)



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
August 29, 2024**

115 North 4th Street
Manhattan, KS 66502
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

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM

Clancy Holeman, Counselor/Director of Administrative Services

1. Administrative Work Session

9:20 AM

Bob Isaac, Planner

2. Public hearing for a rezone for Brock

Adjournment

Announcements

Riley County Offices will be closed Monday, September 2nd due to the observance of the Labor Day holiday.

The Board of County Commissioners will not be in session on Monday, September 2nd.

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: 08-29-24 tentative agenda (14229 : Tentative Agenda)



IT/GIS
Staff Update

Cory Meyer
IT/GIS Director
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6305

STAFF REPORT

FROM: Cory Meyer

MEETING: August 22, 2024

SUBJECT: IT/GIS Staff Update - August 2024

PRESENTER: Cory Meyer

Information Technology (IT)

- Assist with Zoom and BOCC meetings, emergency Website updates, etc.
- Completed monthly transfer of SVQs & Deeds to the State; various customer requested phone programming changes.
- Ongoing account activation/deactivation, answering of help desk calls, Komtek/AS400 backups, resolution of user issues, swap of older/replacement of failed equipment, etc.
- Countywide Internet Changes Complete
- RCOB, PW, HD Backup Storage Upgrade
- Planning Phone System Upgrade
 - Dispatchable Location
 - Reviewing Full Replacement Option
 - Phone Hardware Upgrades by Department
- Monitor Upgrades by Department
- Budget Update: Review, Pricing, Quotes - 8 year projections
- Internal and External Security - Email & Internet Filter
- New EMS HQ Building - Server Built, Setup, Data Migration
- Election Move, Remodel, & Security
- ATABus Remodel
- Camera Software Security Upgrades
- Door Security Software Upgrades
- Server Operating System Upgrades

- Election Assistance
- House Bill 2842 - Courts
- Fax Line Migration
- Laptop Replacements for 2024
- Desktop Replacements for 2024

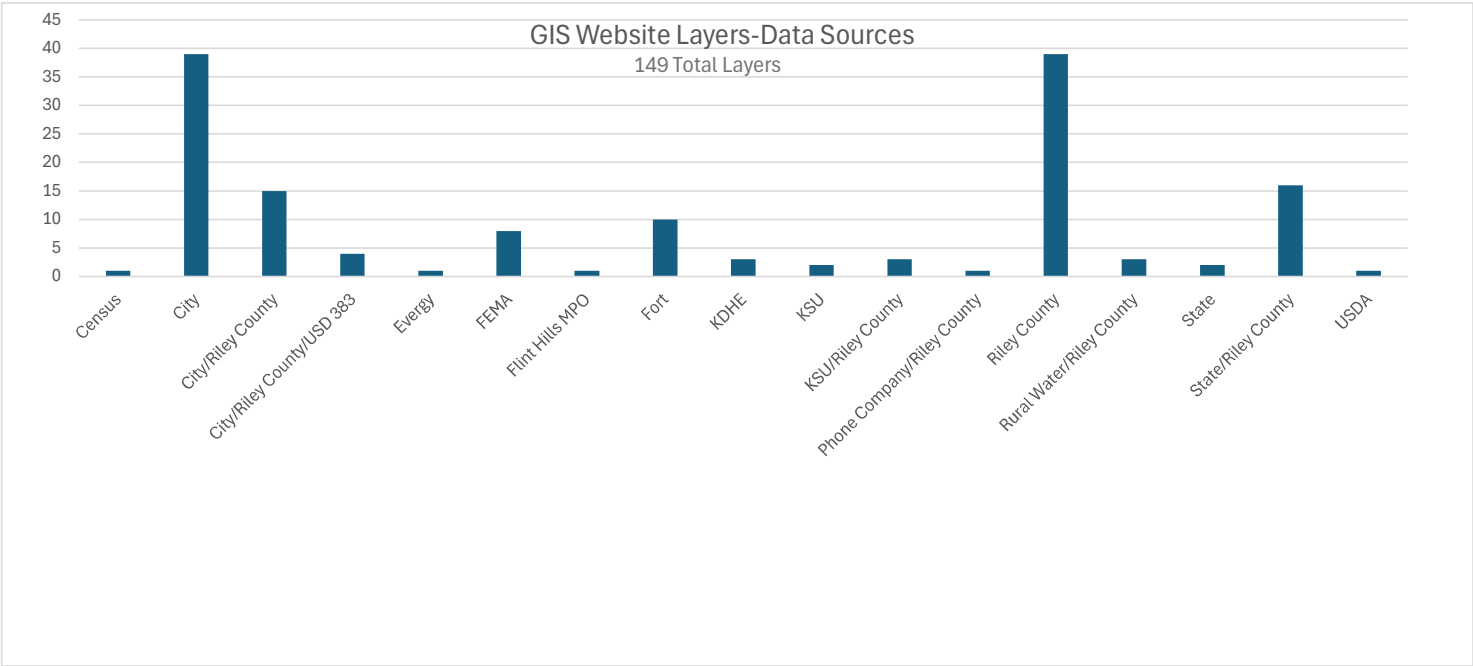
Geographic Information Systems (GIS)

- Eagleview Imagery Flight
- ESRI User Conference
- Historical Imagery Application
- Damage Assessment Application for Field Collection
- Participated in NG911 road renaming committee meeting.
- Recreating the basemap “Physical Hillshade” for the next update of the GIS website
- Working with Northpoint on updates to GIS website for new esri map viewer
- Finalize planning/back-end work to supply access to Ortho Oblique imagery to non-County (ie. RCPD, KSUPD, KSU) users.
- Make monthly NG911 data submissions, and attend State NG911 Strategic Planning yearly meeting (via Zoom).
- Ag Survey, end of month Building Permit, Enviro. Health, and Zoning updates, etc.
- Updated GIS Website with latest city utility data, updated city zoning data, USD 383 Early learning boundaries, Impaired Streams-KDHE
- ImageNow System Replacement
- ESRI Major Version Upgrade Testing
- City/County Layer Breakdown
- Riley County GIS Recognition

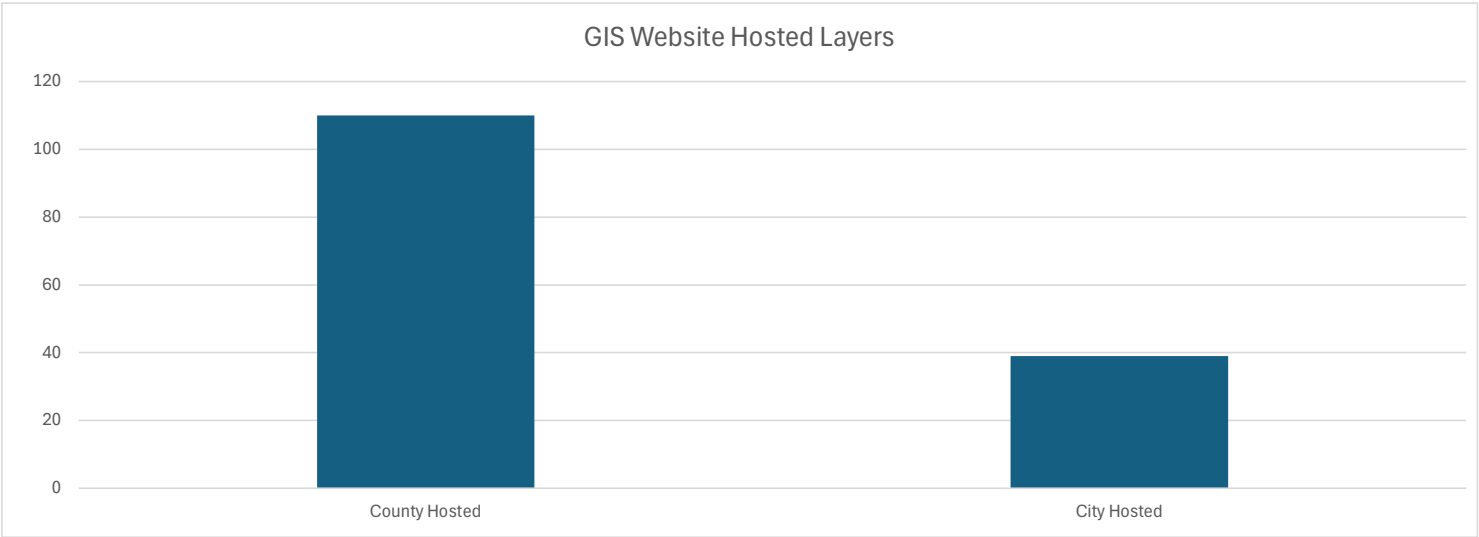
Enclosures:

- GIS Website Layers08202024 (PDF)

Census	1
City	39
City/Riley County	15
City/Riley County/USD 383	4
Evergy	1
FEMA	8
Flint Hills MPO	1
Fort	10
KDHE	3
KSU	2
KSU/Riley County	3
Phone Company/Riley County	1
Riley County	39
Rural Water/Riley County	3
State	2
State/Riley County	16
USDA	1
Total Layers	149



County Hosted	110
City Hosted	39





COUNTY CLERK & ELECTIONS
Budget

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

COMMISSION AGENDA REPORT

FROM: Brittany Phillips, Budget & Finance Officer

MEETING: August 22, 2024

SUBJECT: 2025 Riley County Fire District #1 Public RNR Hearing

PRESENTER: Brittany Phillips, Budget & Finance Officer

BACKGROUND

On July 18th, the Riley County Commissioners approved the intent to exceed the Revenue Neutral Rate. The Budget was sent to for final review to James Gordon & Associates, CPA, P.A. On August 8th, the combined notice of budget hearing and revenue neutral rate was published in the Mercury Manhattan.

DISCUSSION

Open the 2025 Riley County Fire District #1 Revenue Neutral Rate Hearing. A vote to consider "Exceeding Revenue Neutral Rate" is required. If approved, adoption of Resolution to Exceed Revenue Neutral Rate is required.

FISCAL IMPACT

The Riley County Fire District #1 proposed 2025 mill levy is 8.050. This is an increase of 0.313 mills from the 2024 adopted budget and 0.659 over revenue neutral rate.

RECOMMENDATION(S)

N/A

POSSIBLE MOTION(S)

Move to approve and adopt the Resolution to Exceed the Revenue Neutral Rate in its Property Tax Levy for Riley County Fire District #1 for the tax year 2025.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- Riley County Fire District to Exceed RNR (PDF)

RESOLUTION NO. 082224-_____**A RESOLUTION OF THE RILEY COUNTY, KANSAS, BOARD OF COUNTY COMMISSIONERS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE OF RILEY COUNTY FIRE DISTRICT NO. 1**

WHEREAS, pursuant to K.S.A. 79-2988, the Revenue Neutral Rate for Riley County Fire District No. 1 for budget year 2025 was calculated as 7.391 mills by the Riley County Clerk; and

WHEREAS, the budget proposed by Riley County Fire District No. 1 for budget year 2025, if approved, will require the levy of a property tax exceeding the Revenue Neutral Rate; and

WHEREAS, the Riley County, Kansas, Board of County Commissioners (hereinafter "Board"), sitting as the governing body of Riley County Fire District No. 1, provided the Riley County Clerk notice on or before July 20, 2024 of the Board's proposed intent to exceed the Revenue Neutral Rate for Riley County Fire District No. 1 for budget year 2025; and

WHEREAS, on or before August 12, 2024, the Board, sitting as the governing body of Riley County Fire District No. 1, published on the Riley County website and within the Manhattan Mercury, a newspaper of the county published weekly with a general circulation within Riley County, notice of its proposed intent to exceed the Revenue Neutral Rate for Riley County Fire District No. 1 for budget year 2025, and such notice included the proposed tax rate of Riley County Fire District No. 1 ; the Revenue Neutral Rate of Riley County Fire District No. 1; and the date, time, and location of the public hearing, as required by K.S.A. 79-2988; and

WHEREAS, the Board, sitting as the governing body of Riley County Fire District No. 1, held a hearing on August 22, 2024 allowing all interested taxpayers desiring to be heard an opportunity to present oral testimony at the hearing, within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment; and

WHEREAS, the Board, sitting as the governing body of Riley County Fire District No. 1, having heard any oral testimony provided as described above , finds it necessary that only taxing subdivision Riley County Fire District No. 1 shall exceed its Revenue Neutral Rate for budget year 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE RILEY COUNTY, KANSAS BOARD OF COUNTY COMMISSIONERS, SITTING AS THE GOVERNING BODY OF RILEY COUNTY FIRE DISTRICT NO. 1:

Riley County Fire District No. 1 shall levy a property tax exceeding that taxing subdivision's Revenue Neutral Rate of 7.391 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Riley County, Kansas, Board of County Commissioners, sitting as the governing body of Riley County Fire District No. 1.

A Roll Call Vote of the Riley County Commissioners To Levy a Property Tax Exceeding the Revenue Neutral Rate

Governing Body Member	Yes	No	No Vote
Kathryn Focke			
Greg McKinley			
John Ford			
TOTAL			

ADOPTED this 22nd day of August 2024 and **SIGNED** by the Governing Body.

**THE BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS,
SITTING AS THE GOVERNING BODY
OF RILEY COUNTY FIRE DISTRICT
NO. 1**

John Ford, Chairman

Greg McKinley, Vice Chairman

Kathryn Focke, Member

ATTEST:

(Seal)

Rich Vargo, Riley County Clerk



COUNTY CLERK & ELECTIONS
Budget

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

COMMISSION AGENDA REPORT

FROM: Brittany Phillips, Budget & Finance Officer

MEETING: August 22, 2024

SUBJECT: 2025 Riley County Public Budget Hearing

PRESENTER: Brittany Phillips, Budget & Finance Officer

BACKGROUND

On July 18th, the Riley County Commissioners approved the intent to not exceed the Revenue Neutral Rate. The Budget was sent to for final review to James Gordon & Associates, CPA, P.A. On August 8th, the combined notice of budget hearing and revenue neutral rate was published in the Mercury Manhattan.

DISCUSSION

The Chairman will open the 2025 Budget-Public Hearing. Budget and Finance Officer will present the 2025 proposed budget summary as published in the *Manhattan Mercury* and answer any questions.

FISCAL IMPACT

The proposed 2025 mill levy for Riley County is 37.943. This is a reduction 1.923 mills from the 2024 adopted budget.

The Riley County Fire District #1 proposed 2025 mill levy is 8.05. This is an increase of 0.313 mills from the 2024 adopted budget.

POSSIBLE MOTION(S)

Move to approve and sign the 2025 Riley County Budget Certificate as published in the amount of \$104,576,791 and the Special District Funds Certificate totaling \$7,159,139.

Move to approve the 2025 Riley County Agency appropriations as listed below:

AGENCY:	FINAL:
Emergency Shelter	\$ 16,000
Prairie Paws	\$ 60,000
Genealogical Society	\$ 3,500
Riley County Exentension	\$ 667,380
Riley County Council on Aging	\$ 327,981
Pawnee Mental Health	\$ 350,000
Big Lakes Development	\$ 232,685
Community Corrections	\$ 149,884
Riley County Conservation District	\$ 55,136
ATA Bus	\$ 150,000
Chamber of Commerce	\$ 55,000
Flint Hill's Veteran's Coalition	\$ 1,000
Downtown Manhattan, Inc.	\$ 5,000
MPO Contribution	\$ 3,358
Riley County General Eco Devo	\$ 132,850

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- 2025_Riley County Budget (PDF)

CERTIFICATE

To the Clerk of Riley County, State of Kansas

We, the undersigned, officers of

Riley County

- certify that: (1) the hearing mentioned in the attached publication was held;
(2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditure for the various funds for the year 2025; and
(3) the Amount(s) of 2024 Ad Valorem Tax are within statutory limitations.

		2025 Adopted Budget		
		Page No.	Budget Authority for Expenditures	Final Tax Rate (County Clerk's Use Only)
Table of Contents:				
Allocation of Vehicle Taxes		2		
Schedule of Transfers		3		
Statement of Indebtedness		4		
Statement of Lease-Purchases		5		
Fund	K.S.A.			
General	79-1946	6	47,680,044	25,200,141
Bond & Interest	10-113	7	470,467	
Health Department	65-204	8	6,205,009	
County Building Fund	19-15,116	9	433,000	390,467
RCPD Fund	19-4485	9	6,180,206	5,820,795
Special Alcohol Program Fund 132	79-41a01	10	6,000	
EMS Grant Fund - 52	***	10	6,371	
Economic Development - 146	19-4102	11	324,361	
Emergency 911 Fund - 148	12-5301	11	996,497	
Solid Waste - 150	65-3410	12	3,346,640	
Register of Deeds Tech Fund - 106	***	12	207,160	
County Clerk Tech Fund - 107	***	13	199,205	
County Treasurer Tech Fund - 108	***	13	117,999	
War Memorial Fund - 112	***	14	11,500	
County Auction Fund - 118	***	14	281,094	
Motor Vehicle Operations Fund - 130	***	15	433,220	
Capital Improvements Fund - 145	***	15	15,548,840	
Road & Bridge 1/2 Cent Sales Tax - 13	***	16	5,745,678	
Landfill Closure Fund -180	***	16	52,622	
Rural Fire Capital Outlay - 184	***	17	660,334	
OPIOID Fund - 53	***	17	319,430	
Community Corrections - Fund 144	***	18	227,961	
Fire Station Projects Fund - 185	***	18	500,672	
Road & Bridge 0.2 Cent Sales Tax - F	***	19	6,160,856	
Disaster Fund - 003	***	19	6,803,333	
LATCF Fund	***	20	200,000	
KDOC Adult Services - Fund 2000	***	20	529,565	
KDOC Juvenile Services - Fund 2001	***	21	356,757	
KDOC Juvenile Reinvestment - Fund 2	***	21	61,595	
BJA Grant - Fund 2003	***	22	181,620	
21st Jud District ADSAP - Fund 2004	***	22	25,938	
KFA - Fund 2005	***	23	70,000	
City Alcohol Fund - 2006	***	23	23,500	
County Alcohol Funds - 2007	***	24	5,616	
County Salary Appropriation - 2008	***	24	187,636	
Caroline Peine Grant - 2009	***	25	7,450	
GMCF - 2010	***	25	3,750	
Daniel Keating - 2011	***	26	4,865	
Non-Budgeted Funds-A	***	27		
Totals	xxxxx		104,591,386	31,411,403
Budget Hearing Notice	28			
Budget Hearing Notice 2				County Clerk's Use Only
Combined Rate and Budget Hearing				
Combined Rate and Budget Hearing 2	29			
RNR Hearing Notice				Nov 1, 2024 Total Assessed Valuation
Neighborhood Revitalization				

Revenue Neutral Rate
Does budget require a resolution to exceed the Revenue Neutral Rate?

38.263

NO

Assisted by:

James Gordon & Associates CPA, P.A.

Address:

1960 Kimball Ave Suite 400

Manhattan, KS 66502

Email:

jgordon@ja-cpas.com

Attest: _____, 2024

Governing Body

County Clerk

CPA Summary

Table of Contents:

		2025 Adopted Budget						
Special District/Fund	K.S.A.	Page No.	Expenditures	Amount of 2024 Ad Valorem Tax	County Clerk's Use Only		Revenue Neutral Rate	Does budget require a resolution to exceed RNR?
					Nov. 1 Final Assessed Valuation	Final Tax Rate*		
Rural Fire District - 183	19-3610	28	1,526,222	1,325,154			7.391	YES
University Park Water & Sewer Fund - Fund 230	19-27a09	29	195,476	10,416			3.806	NO
University Park Water & Sewer Reserve - 284	***	30	186,493	0			0.000	NO
Hunter's Island Water District	19-3541	31	45,363	0			0.000	NO
Hunter's Island Reserve Fund	***	32	14,801	0			0.000	NO
Moehlman Bottoms Water District Fund	19-3541	33	27,556	0			0.000	NO
Moehlman Bottoms Reserve Fund	***	34	18,631	0			0.000	NO
Terra Heights Sewer Fund	19-27a09	35	56,600	5,057			3.014	NO
Terra Heights Sewer Sinking Fund	19-27a09	36	153,321	0			0.000	NO
Valleywood Combined Operations	19-27a09	37	71,339	22,714			11.987	NO
Valleywood Combined Reserve	***	38	198,546	0			0.000	NO
Konza Water District Fund	19-3541	39	121,350	0			0.000	NO
Konza Water Reserve Fund	***	40	242,245	0			0.000	NO
Deep Creek Sewer Fund	19-27a09	41	14,018	0			0.000	NO
Deep Creek Reserve Fund	***	42	29,998	0			0.000	NO
Mertz/McGehee Drainage Fund	24-407	43	6,183	0			0.000	NO
Carson Sewer Fund	19-27a09	44	98,757	3,933			2.765	NO
Carson Reserve Fund	***	45	110,139	0			0.000	NO
University Park Lagoon - 390	19-27a09	46	1,301,791	0			0.000	NO
High Plains Ranch Benefit District	19-27a09	47	0	0			0.000	NO
Lakeside Heights Sewer Capital Reserve	19-27a09	48	5,434	0			0.000	NO
Keats Sewer Capital Project	19-27a09	49	2,597,306	0			0.000	NO
Lakeside Heights Sewer District	19-27a09	50	2,677	0			0.000	NO
Fairmont Heights Capital Project	19-27a09	51	10,730	0			0.000	NO
Bala Cemetery	17-1330	52	4,588	2,665			1.386	NO
Bellegard Cemetery	17-1330	53	3,462	2,772			2.907	NO
Crooked Creek Cemetery	17-1330	54	2,435	2,190			1.517	YES
E. F. & G. Cemetery	17-1330	55	14,116	10,079			0.501	NO
Fancy Creek - Randolph Cemetery	17-1330	56	16,435	10,690			1.725	NO
Lasita Cemetery	17-1330	57	4,622	1,856			0.709	NO
Rose Hill	17-1330	58	4,931	1,428			1.308	NO
May Day Cemetery #1	17-1330	59	5,943	4,236			2.304	NO
Swede Creek Cemetery	17-1330	60	9,668	1,368			0.928	NO
Walsburg Cemetery #5	17-1330	61	9,692	4,654			0.825	NO
Riley Cemetery #3	17-1330	62	41,272	21,834			2.069	NO

Attest: _____,

2024

County Clerk



HEALTH DEPARTMENT
Travel Request

Julie Gibbs
Health Department
Director
2030 Tecumseh Rd
Manhattan, KS 66502
Phone: 785-776-4779

COMMISSION AGENDA REPORT

FROM: Kaylyn Speth
MEETING: August 22, 2024
SUBJECT: RCHD Out of State Travel Request
PRESENTER: Julie Gibbs

FISCAL IMPACT

I recommend the BOCC approve travel for 3 WIC employees to attend the NWA Nutrition Education & Breastfeeding Conference in Baltimore, MD November 19-21, 2024.

POSSIBLE MOTION(S)

Move to approve

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- 2024 nwa nebf draft agenda 8.16.24 (PDF)
- LP Out of State Travel (PDF)
- EK Out of State Travel (PDF)

- CJ Out of State Travel (PDF)



2024 NWA Nutrition Education & Breastfeeding Conference

Draft Agenda

Monday, November 18

Registration Check in: 2:00PM – 5:30PM

Tuesday, November 19

Start Time	End Time	Track	Session/Event	Speakers
6:00 AM	7:00 AM		Morning Exercise	
7:00 AM	5:00 PM		Registration Open - Check in	
8:00 AM	9:00 AM		Continental Breakfast - Exhibit Hall	
9:00 AM	10:30 AM		Welcome and Opening General Session	
10:30 AM	11:00 AM		Networking Break - Exhibit Hall	
11:00 AM	12:00 PM	Leadership, Workforce/Workplace	Understanding the WIC Workforce	Dr. Linda Kilby, Jennifer Madden Smith
11:00 AM	12:00 PM	Breastfeeding Education	Latch & Motion: Enhancing Infant Feeding Through Movement	Holly Johnson, Holly Johnson, IBCLC
11:00 AM	12:00 PM	Nutrition Education	Redefining Nutrition and Breastfeeding Information in WIC: Engaging Self-Paced Modules, Recipes, Cooking Videos and More	Carrie Zavala, Maricopa County Department of Public Health

Start Time	End Time	Track	Session/Event	Speakers
11:00 AM	12:00 PM	WIC Policy	Power 30! Shift Happens: The Importance of Moving to Weight Neutral Care in WIC Programs Matching, Outreach, Referrals for Enrollment and Participation in WIC (MORE WIC!)	Taylor Aasand, Taylor Aasand Nutrition Dr. Susan Gross, Johns Hopkins University Bloomberg School of Public Health Dr. Laura Caulfield
12:00 PM	1:30 PM		Lunch on your Own	
1:30 PM	2:30 PM	WIC Policy	WIC Breastfeeding Policies and Practices USDA	Dr. Karen Castellanos-Brown, USDA Dr. Polina Zvavitch, Westat Julia Esposito, Westat
1:30 PM	2:30 PM	Nutrition Education	Preventing Food Allergies: Addressing Disparities and Overcoming Barriers	Sherry Coleman Collins, Southern Fried Nutrition
1:30 PM	2:30 PM	Research, Data, Technology & Evaluation	Power 30! WIC Peer Counselors Support Breastfeeding Among WIC Participants Evaluation of a Post-Lesson Follow-up Feature in the Wichealth Online Nutrition Education Program	Dr. Lisa Rene Wagner, UTMB-Galveston Dr. Robert Bensley, Western Michigan University
1:30 PM	2:30 PM	Breastfeeding Education	The Who, What and Why of Exclusive Breastfeeding Support: How WIC Agencies and Hospitals Achieve Continuity of Care	Dr. Eileen FitzPatrick, Baby-Friendly USA
2:30 PM	3:30 PM		Networking Break - Exhibit Hall	
3:30 PM	4:30 PM		General Session: The Nation's First Food as Medicine Program	Dr. Kofi Essel
4:45 PM	6:00PM		Welcome Reception - Exhibit Hall	

Wednesday, November 20

Start Time	End Time	Track	Session/Event	Speakers
6:00 AM	7:00 AM		Morning Exercise	
7:00 AM	4:00 PM		Registration Open - Check in	
7:30 AM	8:30 AM		Continental Breakfast - Exhibit Hall	
8:30 AM	9:30 AM	Nutrition Education	Power 30! Elevating the WIC Experience Through Garden Yoga! Co-Location of WIC Services and Breastfeeding Support on the Mom/Baby Hospital Unit	Fabiola Dimas, Dallas WIC Program Alba Martinez, Dallas WIC Program Arria Andrews, Dallas WIC Program Angelena Martinez, Denver Health WIC Michelle Grassia, Denver Health WIC Meyru Yahya, Denver Health WIC
8:30 AM	9:30 AM	Leadership, Workforce/Workplace	Better Together: Highlighting Mutually Beneficial Successes of a WIC Family Partner Program	Charlotte Safran, Vermont Department of Health Gillian MacKinnon, Vermont WIC
8:30 AM	9:30 AM	WIC Policy	Origin Story of RISC and VENA and their Importance Today – USDA	Jennifer Ortner, USDA
8:30 AM	9:30 AM	Breastfeeding Education	Building a Community of Support: Breastfeeding and Black Families	Tarisha Fleurmond, Cicatelli Associates Inc (CAI) Ladonnis Lucas, Cicatelli Associates Inc (CAI)
9:30 AM	9:45 PM		Break	
9:45 AM	10:45 AM	Research, Data, Technology & Evaluation	Channel Your Inner Child – Adventures of Zobey & More!	Amanda Hovis, Texas WIC
9:45 AM	10:45 AM	Research, Data, Technology & Evaluation	WIC Virtual Clinic: Innovation of WIC to Benefit Those in Need: A Coordinated Strategy to Streamline Services	Joseris Morales Irizarry, Puerto Rico WIC Daniel Villafuerte, Truenorth Corporation

Start Time	End Time	Track	Session/Event	Speakers
9:45 AM	10:45 AM	Breastfeeding Education	Power 30! Breastfeeding Duration and Reasons for Early Cessation of Breastfeeding Among WIC Mothers Breastfeeding, Health Inequity and Climate Change: The Intersection Between Maternal and Environmental Health in Communities of Color	Amy Willa, The University of Texas Health Science Center LaTasha Reece, Postpartum Peace of Mind Inc
9:45 AM	10:45 AM	Leadership, Workforce/Workplace	WIC Workforce Development: Progress and Projects - USDA	Julie Skolmowski, USDA
10:45 AM	11:30 AM		Networking Break - Exhibit Hall	
11:30 AM	12:30 PM	Leadership, Workforce/Workplace	Enhancing Health Outcomes: The Role of WIC in Improving Health Literacy	Sonia Gamble, Franklin County WIC Meghan Robinson, Franklin County WIC Rochelle Stigger, Franklin County WIC
11:30 AM	12:30 PM	Breastfeeding Education	Breastfeeding Blues: Understanding and Supporting Perinatal Mental Health Amid Infant Feeding Challenges	Cierra Murphy-Higgs, North Carolina Agricultural and Technical State University
11:30 AM	12:30 PM	Research, Data, Technology & Evaluation	Can We Improve Breast Cancer Outcomes Among Maryland Residents Enrolled in the Special Supplemental Nutrition Program for Women Infants and Children by Encouraging Breastfeeding?	Susan Gross, Johns Hopkins University Bloomberg School of Public Health
11:30 AM	12:30 PM	Leadership, Workforce/Workplace	Power 30! A Breastfeed Peer Counselor Framework that Leads to Home-Grown IBCLCs Growing Our Own Experts: Leveraging the Public Health Workforce Development Grant	Cheryl Lorie, Florida Department of Health in Miami-Dade County WIC Program Jarene Fleming, Virginia Department of Health

Start Time	End Time	Track	Session/Event	Speakers
12:30 PM	2:00 PM		Lunch on your Own	
2:00 PM	3:00 PM	Breastfeeding Education	Power 30! Daily Drop: Breastfeeding Education Using an Interactive Gamification App OA Grant: Seven-State Collaboration for Lactation Trainings	Tricia Cassi, Vermont WIC Gillian MacKinnon, Vermont WIC Marji Cyrul, Michigan WIC
2:00 PM	3:00 PM	Leadership, Workforce/Workplace	Reclaiming the Journey: Addressing Barriers to Entry for Underrepresented Communities in Lactation Careers	Monet Kees, North Carolina Department of Health and Human Services
2:00 PM	3:00 PM	Nutrition Education	Power 30! Fill the Food Allergy Knowledge Gap: Support Families with Up-to-Date Nutrition Education It's Complicated: How to Simplify the Pathway to Food Allergies Management	Susan Krahn, Nutrition Matters, Inc. Colleen Pierre, Maryland WIC program
2:00 PM	3:00 PM	Research, Data, Technology & Evaluation	WIC Nutrition Assessment and Tailoring Study: Key Findings and Discussion of Next Steps - USDA	Karen Castellanos-Brown, USDA Mary Gabay, Westat Kathy Wroblewska, Westat
3:00 PM	3:45 PM		Networking Break - Last Chance to Visit the Exhibit Hall	
3:45 PM	4:45 PM		USDA General Session	Melissa Abelev, USDA Kristin Garcia, USDA Julie Skolmowski, USDA

Thursday, November 21

Start Time	End Time	Track	Session/Event	Speakers
7:00 AM	8:00 AM		Continental Breakfast - Foyer	
8:00 AM	9:00 AM	Breastfeeding Education	Social Determinants of Health and Breastfeeding	Marcia Robinson, Columbia University School of Nursing
8:00 AM	9:00 AM	Leadership, Workforce/Workplace	From Peer to Professional: Pathways for BFPC Growth and Retention	Laura Robinson, Chickasaw Nation WIC
8:00 AM	9:00 AM	WIC Policy	Power 30! Breastfeeding Initiation Rates of Pacific Islander Groups by WIC Participation Status Revisions to the WIC Food Package	Leslie Hodges, USDA Jasmine Lusane, University of Maryland Cherisa Andrews, USDA
8:00 AM	9:00 AM	Research, Data, Technology & Evaluation	Enhancing Breastfeeding Support with Technology in WIC Programs	Karla Lewis, Morrisania WIC Program
9:00 AM	9:15 PM		Break	
9:15 AM	10:15 AM	Breastfeeding Education	Power 30! Where's all the Breastmilk Gone? Going Beyond 'Just Breastfeed More' to Exploring Genetic and Environmental Causation Medications and Breast Milk: The Importance of Accurate Information for Informed Decision-Making	Marsha Walker, National Lactation Consultant Alliance Lorrie Harris-Sagaribay, OTIS/MotherToBaby
9:15 AM	10:15 AM		Updates from NWA	

Start Time	End Time	Track	Session/Event	Speakers
9:15 AM	10:15 AM	WIC Policy	Household Experiences of the Infant Formula Shortage: Data from the Household Pulse Survey and LA County WIC	Leslie Hodges, USDA Shannon Whaley, PHFE WIC
9:15 AM	10:15 AM	Research, Data, Technology & Evaluation	Loaner Multi-User Electric Breast Pump Program: Assessing the Value and Investment for Lactation Support	Chiara Phillips, North Carolina Department of Health and Human Services Charlotte Patton, North Carolina Department of Health and Human Services
10:15 AM	11:40 AM		Networking Break	
10:40AM	12:00PM		Closing General Session: Opportunities for WIC Workforce Development	Mary Marczak

RILEY COUNTY OUT OF STATE TRAVEL REQUEST/AUTHORIZATION

NAME: Lisbeth Posligua-Andrade **DEPARTMENT:** HD-WIC

POSITION TITLE: Breastfeeding Peer Counselor **DATE REQUESTED** 08/22/2024

FUND: WIC

Travel From: Manhattan, KS **Date:** 11/18/2024

Travel To: Baltimore, Maryland **Date:** 11/21/2024

Purpose of Travel: **National WIC Association Nutrition Education & Breastfeeding Conference in Baltimore Maryland 11/19/2024-11/21/2024**

Mode of Travel: Common Carrier ☒ Riley County Vehicle ☐ Privately Owned Vehicle ☐

☒ Administratively determined to be to the advantage of Riley County
☒ Not to exceed the cost of common carrier including food and lodging
Mileage rate of _____

ESTIMATED COST:

Type of Expense	Description	Amount
Transportation	Flights from MHK or MCI (cheapest) Shuttle airport/hotel roundtrip	\$700
Lodging	Marriott-Baltimore (\$137/night + taxes/fees) 3 Nights	\$500
Meals	Breakfast, lunch, dinner x 4 days	\$252
Registration/Fees	Conference Registration	\$499
Other		

Total Estimated Travel Costs: \$1951

Requested by:  **Date:** 8/19/2024

Approved by:

Department Head:  **Date:** 8-19-24

Chair: _____ **Date:** _____

Board of County Commissioners

Attest: _____ **Date:** _____

Riley County Clerk

cc: Department Head
Department Assistant

RILEY COUNTY OUT OF STATE TRAVEL REQUEST/AUTHORIZATION

NAME: Earlisha Killen **DEPARTMENT:** HD-WIC

POSITION TITLE: Breastfeeding Peer Counselor **DATE REQUESTED** 08/22/2024

FUND: WIC

Travel From: Manhattan, KS **Date:** 11/18/2024

Travel To: Baltimore, Maryland **Date:** 11/21/2024

Purpose of Travel: National WIC Association Nutrition Education & Breastfeeding Conference in Baltimore Maryland 11/19/2024-11/21/2024

Mode of Travel: Common Carrier ☒ Riley County Vehicle ☐ Privately Owned Vehicle ☐

☒ Administratively determined to be to the advantage of Riley County
☒ Not to exceed the cost of common carrier including food and lodging
Mileage rate of _____

ESTIMATED COST:

Type of Expense	Description	Amount
Transportation	Flights from MHK or MCI (cheapest) Shuttle airport/hotel roundtrip	\$700
Lodging	Marriott-Baltimore (\$137/night + taxes/fees) 3 Nights	\$500
Meals	Breakfast, lunch, dinner x 4 days	\$252
Registration/Fees	Conference Registration	\$499
Other		

Total Estimated Travel Costs: \$1951

Requested by: Earlisha Killen **Date:** 8/19/2024

Approved by:

Department Head: Julie Gibbs **Date:** 8-19-24

Chair: _____ **Date:** _____

Board of County Commissioners

Attest: _____ **Date:** _____

Riley County Clerk

cc: Department Head
Department Assistant

RILEY COUNTY OUT OF STATE TRAVEL REQUEST/AUTHORIZATION

NAME: Cathrine Jones **DEPARTMENT:** HD-WIC

POSITION TITLE: WIC Dietitian **DATE REQUESTED** 08/22/2024

FUND: WIC

Travel From: Manhattan, KS **Date:** 11/18/2024

Travel To: Baltimore, Maryland **Date:** 11/21/2024

Purpose of Travel: National WIC Association Nutrition Education & Breastfeeding Conference in Baltimore Maryland 11/19/2024-11/21/2024

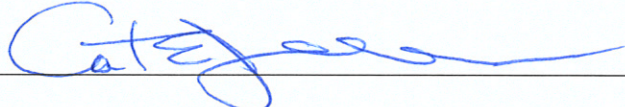
Mode of Travel: Common Carrier ☒ Riley County Vehicle ☐ Privately Owned Vehicle ☐

☒ Administratively determined to be to the advantage of Riley County
☒ Not to exceed the cost of common carrier including food and lodging
Mileage rate of _____

ESTIMATED COST:

Type of Expense	Description	Amount
Transportation	Flights from MHK or MCI (cheapest) Shuttle airport/hotel roundtrip	\$700
Lodging	Marriott-Baltimore (\$137/night + taxes/fees) 3 Nights	\$500
Meals	Breakfast, lunch, dinner x 4 days	\$252
Registration/Fees	Conference Registration	\$499
Other		

Total Estimated Travel Costs: \$1951

Requested by:  **Date:** 8/19/2024

Approved by:

Department Head:  **Date:** 8-19-24

Chair: _____ **Date:** _____

Board of County Commissioners

Attest: _____ **Date:** _____

Riley County Clerk

cc: Department Head
Department Assistant



PUBLIC WORKS
Travel Request

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

COMMISSION AGENDA REPORT

FROM: Mary Graham Admin Asst II
MEETING: August 22, 2024
SUBJECT: Out-of-State Travel Request
PRESENTER: John Ellermann, Director of PW/County Eng

POSSIBLE MOTION(S)

Move to approve

Move to deny

The Board agreed by consensus to

Enclosures:

- GIE+EXPO 2024 Louisville, KY David Willis Memo (PDF)
- GIE+EXPO 2024 Louisville, KY DAvid Willis Form (PDF)



MEMORANDUM

DATE: August 22, 2024
FROM: John Ellermann
TO: BOCC
RE: Out-of-State Travel Request

I would like David Willis to attend the 2024 International GIE+EXPO and equipment show October 15, 2024, to October 19, 2024, in Louisville, KY.

Benefits to Riley County - By attending this educational conference David will gain valuable knowledge to help manage park operations more efficiently and effectively. This conference should provide him with innovative ideas to save taxpayer dollars while improving quality.

As the premier industry exposition GIE+EXPO provides a showcase featuring the latest in equipment, services, product design, and technological advances. New features highlight drones, robotics, UTVs and more.

GIE+EXPO expects to host over 1,000 exhibitors, with a 20-acre demo and test-driving area. The latest equipment, materials, product design, services and technology will be available for viewing.

RILEY COUNTY OUT OF STATE TRAVEL REQUEST/AUTHORIZATION

NAME: David Willis **DEPARTMENT:** Public Works

POSITION TITLE: Parks Manager **DATE REQUESTED** 8/15/24

FUND: Road and Bridge

Travel From: Manhattan, KS **Date:** 10/15/24

Travel To: Louisville, KY **Date:** 10/19/24

Purpose of Travel: To attend the 2024 International GIE+EXPO in Louisville, KY

Mode of Travel: Common Carrier ☐ Riley County Vehicle ☒ Privately Owned Vehicle ☐

☒ Administratively determined to be to the advantage of Riley County
☐ Not to exceed the cost of common carrier including food and lodging
 Mileage rate of _____

ESTIMATED COST:

Type of Expense	Description	Amount
Transportation	county vehicle	0
Lodging	4 nights @ \$162.00	648.00
Meals	5 days - lunch and dinner (breakfast free at hotel)	240.00
Registration/Fees	Early Bird Registration	30.00
Other		

Total Estimated Travel Costs: \$918.00

Requested by: *David Willis* **Date:** 8/13/24

Approved by: _____

Department Head: *John Ellerman* **Date:** 8-15-24

Chairman: _____ **Date:** _____

Board of County Commissioners

Attest: _____ **Date:** _____

Riley County Clerk

cc: Department Head
Department Assistant



PLANNING & DEVELOPMENT
Public Hearing

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

RESOLUTION

FROM: Bob Isaac, Planner

MEETING: August 22, 2024

SUBJECT: Amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

PRESENTER: Bob Isaac, Planner

BACKGROUND

On December 6, 2021, the Board of County Commissioners adopted the Land Development Regulations for Riley County, Kansas. The document became effective on January 1, 2022. However, soon after the effective date, it was discovered some adjustments were needed. The Land Development Regulations were amended on May 5, 2022 and again on May 23, 2024. Following the discovery of other needed adjustments to the document by staff, the Riley County Planning Board requested certain amendments to the Riley County Land Development Regulations.

The proposed amendments were brought before the Riley County Planning Board on June 10, 2024 and the Manhattan Urban Area Planning Board June 27, 2024 for discussion and review. Their comments and suggestions have been incorporated into the proposed modifications. Below are the aforementioned amendments as published July 17, 2024, in the Notice of Public Hearing, along with staff analysis.

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 August 8, 2024, the Manhattan Urban Area Planning Board heard the request and unanimously forwarded a recommendation to the Board of County Commissioners to approve the amendments, as written in the staff report.

On August 12, 2024, the Riley County Planning Board heard the request and unanimously forwarded a recommendation to the Board of County Commissioners to approve the amendments, as written in the staff report.

STAFF RECOMMENDATIONS: Staff recommends that the Board of County Commissioners approve the proposed amendments to the Riley County Land Development Regulations, as recommended by the Planning Boards.

POSSIBLE MOTION(S)

A. Motion to approve Resolution 082224-_____ approving the request to amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

Or

B. Motion to sign Resolution 082224-_____ denying the request to amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

ATTACHMENT(S):

- Staff report
- Excerpt of Planning Board minutes

Enclosures:

- Staff Report LDR Amend part II BOCC (PDF)
- Excerpt of MUAPB minutes (PDF)
- Excerpt of RCPB minutes (PDF)
- Resolution Approved - LDR Amendments (PDF)
- Resolution Denied - LDR Amendments (PDF)



PLANNING & DEVELOPMENT

STAFF REPORT

Regulation Amendment

PETITION:	#24-032
APPLICANT:	Riley County Planning Board 110 Courthouse Plaza Manhattan, KS 66502
REQUEST:	Amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

PUBLIC NOTICE EXCERPT: (Additions are italicized and deletions are struck through)

RILEY COUNTY LAND DEVELOPMENT REGULATIONS:

BACKGROUND:

On December 6, 2021, the Board of County Commissioners adopted the Land Development Regulations for Riley County, Kansas. The document became effective on January 1, 2022. However, soon after the effective date, it was discovered some adjustments were needed. The Land Development Regulations were amended on May 5, 2022 and again on May 23, 2024. Following the discovery of other needed adjustments to the document by staff, the Riley County Planning Board requested certain amendments to the Riley County Land Development Regulations. The proposed amendments were brought before the Riley County Planning Board on June 10, 2024 and the Manhattan Urban Area Planning Board June 27, 2024 for discussion and review. Their comments and suggestions have been incorporated into the proposed modifications. Below are the aforementioned amendments as published July 17, 2024, in the Notice of Public Hearing, along with staff analysis.

SECTION 5.3 ACCESSORY BUILDINGS, STRUCTURES AND USES

C. Density Requirements

4. Except for commercial and industrial zoning districts, *a the maximum number of permitted three (3) detached accessory structures shall be as follows: permitted*
 - a. Three (3) for lots or tracts less than five (5) acres;
 - b. Four (4) for lots or tracts five (5) acres to 19.99 acres; and
 - c. Five (5) for lots or tracts 20 acres and larger.

Staff analysis: Although accessory structures used solely for agricultural purposes and those used solely for the housing of livestock or horses are not included in the total number of permitted accessory buildings or the calculation of the maximum cumulative square footage, there was a concern that limiting property owners with larger tracts to only three accessory structures was too restrictive. The intent of universally limiting all tracts to only three accessory structures may have been for consistency in addressing clutter or lot coverage, regardless of tract or lot size.

Staff believes that one approach, as noted above, would be to continue the three accessory building limit for lots or tracts less than five acres; allow a total of four accessory buildings for tracts between 5 and 19.99 acres; and allow a total of five accessory buildings for tracts 20 acres and larger. This change only effects the maximum number of accessory structures per lot or tract but does not change the maximum cumulative square footage calculation for the property.

SECTION 4.19 PLANNED UNIT DEVELOPMENT (PUD)

G. F. Standards and Criteria

1. General

The following standards and criteria shall be used by the Planning Board and BOCC in determining approval or denial of a Planned Unit Development district. A proposed Planned Unit Development district, which, if determined to be inconsistent with these standards and criteria, shall not be approved. All Planned Unit Development districts shall be consistent with the following:

- a. The application for a Planned Unit Development shall be filed by the owner(s) of record of all land to be occupied by that district;
- b. The Planned Unit Development shall be in general conformity with the Comprehensive Plan;
- c. The Planned Unit Development will not have a substantially adverse effect on the neighboring area;
- d. The Planned Unit Development provides benefits and amenities that warrant any modification of these regulations that would otherwise apply to the area;
- e. The Planned Unit Development provides design features and benefits that warrant any proposed modification of existing standards relating to public improvements, easements, rights-of-way and service utilities;
- f. Common open space and other common use facilities shall be consistent with the planned function and located within the Planned Unit Development so as to be convenient, readily accessible and visually attractive to all of the intended common users;
- g. The Planned Unit Development contains provisions relating to the location, size, ownership and ongoing maintenance of any lots, easements or rights-of-way for public streets and utilities, common open spaces and facilities, parking areas, and private drives/streets;
- h. Common use recreational facilities such as playgrounds and swimming pools shall be of a size adequate to serve the population for which they are intended;
- i. The Planned Unit Development provides for the location and arrangement of structures and other improvements, such as parking areas, lighting, landscaping, compatible with the surrounding land use;
- j. The Planned Unit Development provides a time schedule for the completion of the development as a whole or in stages;
- k. Off street parking and loading areas shall be provided for all uses within the Planned Unit Development in accordance with the requirements of these regulations; and
- l. When a non-residential Planned Unit Development abuts an existing residential use or an area zoned for residential use, screening shall be provided to assure year-round privacy to the residential use and greater setback requirements shall be provided in accordance with Section 6.8 – Landscaping and Screening.

2. Density Requirements

- a. Minimum Lot Area: No minimum lot area except the development shall meet all requirements of the Riley County Sanitary Code.
- b. Maximum Lot Coverage: The ground area occupied by principal and accessory structures on each lot shall not exceed 50% of the total lot area.

3. Setback Requirements

Setbacks shall be equivalent to those listed for the commercial and industrial districts, except where a parcel abuts an interstate, freeway/expressway (non-interstate), principal arterial, minor arterial or major collector, the required setback shall be as specified in Section 6.6 – Streets, Driveways, and Pedestrian Circulation.

4. Use Limitations

- a. Uses not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan. *Structures and uses determined to be agricultural, as defined herein, shall be exempt from this requirement.*
- b. ~~Structures not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan.~~

F. G. Amending a Final Development Plan

The Department shall not issue a building permit for any development that is not in conformance with the Final Development Plan; however, a Final Development Plan may be amended *as per the requirements of this section.* ~~except that the total building square footage of the Final Development Plan may be increased by a maximum of 1%.~~

1. *In the event a Final Development Plan is proposed to be amended, staff shall review the amended Final Development Plan for conformity to the originally approved Final Development Plan. The amended Final Development Plan shall be deemed to be in substantial conformance with the originally approved Final Development Plan if the amended Final Development Plan:*
 - a. *Does not vary the proposed gross residential density by more than 5% nor involve a reduction in the area set aside for common open space;*
 - b. *Does not increase the floor area proposed for non-residential use by more than 10%;*
 - c. *Does not increase the total ground area covered by buildings by more than 5% nor increase the heights of buildings by more than 5%, and*
 - d. *Retains the visual and spatial qualities of the original approved Final Development Plan.*
2. *Such amended Final Development Plan shall be submitted to the department drawn in waterproof black ink on a 24x36 inch, 0.004 inch mylar Cronoflex engineering photographic film, at the same scale as the original Final Development Plan. Such amended Final Development Plan shall include items listed in Section 4.19.D.8 of these regulations and include signature certificates for the owner(s) notary, and Director of Planning & Development. Such amended Final Development Plan shall show the changes from the original Final Development Plan and demonstrate substantial conformance with the originally approved Final Development Plan, as noted above.*
3. Any proposed changes beyond ~~these~~ the limits listed above, including any additional uses, structures, platting or replatting, boundary line adjustments or lot splits, shall require ~~an amendment to the Planned Unit Development district that follows formal approval of an~~

amended ~~Preliminary Development Plan and Final Development Plan~~. *Amending a Final Development Plan shall follow an amendment to the Planned Unit Development district that follows the same public hearing process as provided in Section 4.19.H below; however, amending a final development plan shall not be considered a rezoning nor subject to a protest petition. the original rezoning to Planned Unit Development district. This process shall include an amended Preliminary Development Plan and Final Development Plan.*

H. Procedures

The following steps are involved in the procedure for amending a Final Development Plan:

1. Pre-Application Conference

A formal pre-application conference is required per Section 3.4 – Pre-Application Conference.

2. Submission of Application

Applications for amending a Final Development Plan may be processed concurrently with applications for platting. All required documents and fees for both processes shall be submitted simultaneously.

3. Final Development Plan

The amended Final Development Plan shall meet the criteria listed for a Final Development Plan in Section 4.19.D.8.

4. Staff Review and Recommendation

Staff shall review the application and make a recommendation pursuant to Section 3.3 – General.

5. Public Notice Requirements

The Notice of Public Hearing shall be published in a manner and within the timeframe prescribed by state law and as required in Section 3.5 – Public Hearing Notice.

6. Planning Board Public Hearing

The Planning Board shall review the amended Final Development Plan, with respect to the applicable standards and criteria herein for a Final Development Plan and shall conduct a public hearing. The Planning Board shall recommend to the BOCC the amended Final Development Plan be approved, approved with revisions, or denied. The Planning Board may also table the request to the next regularly scheduled Planning Board meeting, citing reasons for such tabling.

7. BOCC Public Hearing and Decision.

- a. The BOCC is not required to hold a public hearing to consider the application based upon the recommendation by the Planning Board and shall approve, approve with revisions, table, or deny the proposed amended final development plan; however, if such final development plan contains changes from the originally approved final development plan which are determined by the BOCC to be not in the public interest, it shall not be approved by the BOCC and the owner shall be requested to meet with the BOCC to discuss remedies for the changes therein. If the owner does not agree to the remedies suggested by the BOCC or otherwise declines to revise the proposed amended Final Development Plan as submitted, the BOCC may, within 45 days of the original submission of the proposed amended Final Development Plan, deny approval of the plan and return it to the owner with a written statement setting forth the reasons why one or more changes are not in the public interest.*

- b. *In the case of approval by the BOCC, a resolution shall be passed acknowledging such approval of the amended Final Development Plan.*
- c. *Following the denial of an amended Final Development Plan by the BOCC, the owner may choose to revise the plan in accordance with the recommendations of the BOCC and resubmit it for approval or may, within 45 days of receipt of notice of denial, choose to appeal the decision of the BOCC to the district court.*
- d. *After approval of an amended Final Development Plan, the owner shall forthwith record, with the Register of Deeds, any associated plat and any covenants, easements, rights-of-way, bylaws, or other documents that are a part of the amended Final Development Plan.*

I. Amendment of Preliminary and Final Development Plans

Following a review of a proposed amended Final Development Plan, the Director shall have the authority to determine if proposed changes to a Final Development Plan are substantial and will require an amendment to the Planned Unit Development district that follows the same public hearing process as the original rezoning to Planned Unit Development district, including an amended Preliminary Development Plan and Final Development Plan. This process is not considered a rezoning; however, such process is subject to a protest petition. If a protest petition against the request is filed in accordance with Kansas statutes, the request shall not be approved except by at least a $\frac{3}{4}$ vote of all members of the BOCC.

J. Serial Amendments

A series of amendments that, cumulatively, exceed the threshold for “substantial conformance” to the originally approved final development plan (Section 4.19.G) shall require formal approval of such amendments and be subject to the procedure outlined in Section 4.19.H.

Staff analysis: Since the adoption of the Riley County Land Development Regulations (LDR) in January 2022, there have been a handful of property owners needing to amend their final development plan associated with their Planned Unit Development zoning designation. The LDR includes a process for amending a final development plan (p. 4-37) and is as follows:

“The Department shall not issue a building permit for any development that is not in conformance with the Final Development Plan except that the total building square footage of the Final Development Plan may be increased by a maximum of 1%. Any proposed changes beyond these limits shall require an amendment to the Planned Unit Development district that follows the same public hearing process as the original rezoning to Planned Unit Development district. This process shall include an amended Preliminary Development Plan and Final Development Plan.”

However, staff discovered the above process to be unclear in its application and left property owners and other staff confused. Staff believes that it’s too restrictive and inflexible, forcing property owners with the PUD zoning designation to start completely over, using the “same public hearing process as the original rezoning”, for what could be considered a minor change. This also created confusion as to whether or not such amendment would be subject to a protest petition like a rezoning. If not and substantial changes to the final development plan were being proposed, *should* a protest petition be allowed?

Staff is recommending a three-tiered approach. The “first tier” would be utilized when only minor changes to a final development plan are being proposed. The proposed amended final development plan would be reviewed administratively (staff) for “substantial conformance” to

the originally approved Final Development Plan. If the proposed changes are beyond the provided criteria for “substantial conformance”, the “second tier” of the amendment process would be utilized, which follows the public hearing process provided **H. Procedures** above, which is similar to the process of the original Final Development Plan. It is made clear that this “tier” of the amendment process is not considered a rezoning nor subject to a protest petition.

Following staff review of a proposed amended final development plan, the Director shall have the authority to determine if the changes are substantial enough to require the same hearing process as the original rezoning to Planned Unit Development district, including an amended Preliminary Development Plan and Final Development Plan (third tier). Although this process is not considered a rezoning, such process will be subject to a protest petition.

As a matter of “housekeeping”, staff recommends (as shown) a slight re-ordering of the section, moving Standards and Criteria before Amending a Final Development Plan.

SECTION 5.2 USE-SPECIFIC STANDARDS

J. Commercial Storage and Distribution of Anhydrous Ammonia or Propane

1. ~~Setback~~ ~~Such uses~~ *Commercial storage and distribution facilities for anhydrous ammonia shall be subject to the setback distance requirements of the Kansas Fertilizer Law Article 4. Commercial Fertilizers, Article 10. Anhydrous Ammonia, Kansas Administrative Regulations, 4-10-4c. Permanent Storage Facility Design And Permanent Storage Container Location, which requires the nearest edge of the nearest permanent storage container shall be located at the following distances:*
 - a. *At least 50 feet from the edge of any property not owned or leased by the permanent storage facility;*
 - b. *At least 50 feet from a well or other point of diversion used as a source of drinking water;*
 - c. *At least 50 feet from storage locations of flammables or explosives;*
 - d. *At least 1,000 feet from the area accessible to the public of any public assembly area, as defined in K.A.R. 4-10-1; and*
 - e. *Not on or less than 100 feet from the surface of a public roadway.*

Such storage and distribution facilities also shall not be located within 1,000 feet of any residential district boundary, church, school, or other place of public assembly.

The Kansas Department of Agriculture - Pesticide and Fertilizer Program shall confirm such setbacks are met prior to the installation of any proposed commercial anhydrous ammonia storage and/or distribution facilities.

2. *Commercial storage and distribution facilities for propane shall be subject to the setback requirements found in Chapter 61- Liquified Petroleum Gases of the International Fire Code (IFC). The Riley County Rural Fire Chief shall confirm such setbacks are met prior to the installation of any proposed commercial propane storage and/or distribution facilities.*

Staff analysis: Jerod Wanklyn visited with staff about the imminent construction of a new traffic circle at the intersection of Tuttle Creek Boulevard and Seth Child Road (KDOT). He said he was informed that although the actual location of the traffic circle is preliminary at this time, he will most likely need to relocate the existing 30,000 gallon commercial propane distribution tank currently located at the southeast corner of that intersection. Staff

checked the LDR for zoning compliance and if there were any applicable use-specific standards. Staff discovered that there was only one use-specific standard that applied to both commercial storage and distribution of anhydrous ammonia and commercial storage and distribution of propane; almost a “one size fits all” approach. Through discussions with Mr. Wanklyn and Riley County Deputy Fire Chief Antonio Padilla, it was learned that anhydrous ammonia and propane are not the same thing and the regulations should acknowledge this and be regulated differently. Mr. Padilla stated that the International Fire Code has established setback requirements for commercial storage and distribution of propane while the Kansas Department of Agriculture and Kansas Fertilizer Law have established setback requirements for commercial storage and distribution of anhydrous ammonia. Thus, staff recommends the amendments as proposed above.

MANHATTAN URBAN AREA PLANNING BOARD:

On June 27, 2024, the Manhattan Urban Area Planning Board heard the request and unanimously forwarded a recommendation to the Board of County Commissioners to approve the amendments, as written in the staff report.

RILEY COUNTY PLANNING BOARD:

On July 8, 2024, the Riley County Planning Board heard the request and unanimously forwarded a recommendation to the Board of County Commissioners to approve the amendments, as written in the staff report.

STAFF RECOMMENDATIONS: Staff recommends that the Board of County Commissioners approve the proposed amendments to the Riley County Land Development Regulations, as recommended by the Planning Boards.

POSSIBLE MOTION(S)

ACTION NEEDED:

A. Motion to approve Resolution 082224-_____ approving the request to amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

Or

B. Motion to sign Resolution 082224-_____ denying the request to amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

Prepared by: Bob Isaac, Planner
August 19, 2024

EXCERPT OF MINUTES

MANHATTAN URBAN AREA PLANNING BOARD

August 8, 2024

Page 1

- 3.1 A **PUBLIC HEARING** to consider text **AMENDMENTS to the Riley County Land Development Regulations**. (*applicant: Riley County Planning Board, file no. RCF-24-037*)

Mr. Isaac stated that staff brought the proposed amendments to the Riley County Land Development Regulations before the Manhattan Urban Area Planning Board and the Riley County Planning Board for discussion on June 27th and July 8th, respectively.

He said those amendments and the reasons for them were listed in the staff report and were essentially left unchanged since those discussions, with one exception. He said at the June 27th Manhattan Urban Area Planning Board meeting, Board member Ebert expressed that the amendments to the PUD regulations lacked a clause or language for “serial amendments”, which would allow applicants to repeatedly amend their Final Development Plans with little or no review. He said he mentioned that the City of Manhattan has such a clause in the Manhattan Development Code and confirmed it with Assistant Community Development Director John Adam. Mr. Isaac stated that staff responded by including language to address potential “serial amendments”.

Mr. Isaac stated there were no other changes and recommended that the Planning Board forward a recommendation of approval to the Board of County Commissioners of the proposed amendments to the Riley County Land Development Regulations as listed in the staff report.

Mr. Isaac announced that the Riley County Planning Board would hear the request on Monday August 12th at 7:30 pm in the Board of County Commissioners chambers and the Board of County Commissioners would hear the request on August 22nd at 10:35 in the Board of County Commissioners chambers.

Myron Calhoun, 2001 Dunbar, stated that he and his wife have lived there since 1972 and believed the amendments for accessory structures, for tracts of land between five and twenty acres, are unreasonable. He described several agricultural outbuildings on his property and expressed concern the regulations would not allow for the number of accessory structures on his property as currently written.

Mr. Isaac responded by reminding the Board that the regulations state that structures used solely for agricultural purposes, as well as structures used to house livestock, are not counted in the maximum number of accessory structures allowed per lot or tract. He stated agricultural structures are exempt from the regulations.

Ken Ebert moved to forward a recommendation of approval of the request to the Board of County Commissioners of the proposed amendments to the Riley County Land Development Regulations as listed in the staff report.

Brad Buser seconded the motion.

Motion passed 5-0.

Mr. Isaac reminded the Planning Board that the he Riley County Planning Board will hear the request on Monday August 12th at 7:30 pm in the Board of County Commissioners chambers and the Board of County Commissioners will hear the request on August 22nd at 10:35 in the Board of County Commissioners chambers.

EXCERPT OF MINUTES

RILEY COUNTY PLANNING BOARD

August 12, 2024

Page 1

Riley County Land Development Regulation Amendments

Chairman Wienck opened the public hearing at the request of the Riley County Planning Board to amend Section 5.2 Use Specific Standards; Section 5.3 Accessory Buildings, Structures and Uses; and Section 4.19 Planned Unit Development (PUD) of the Riley County Land Development Regulations.

Bob Isaac presented the request stating staff brought the proposed amendments of the Riley County Land Development Regulations before the Manhattan Urban Area Planning Board and the Riley County Planning Board for discussion on June 27th and July 8th, respectively.

He said those amendments and the reasons for them were listed in the staff report and were essentially left unchanged since those discussions, with the following exception:

Mr. Isaac explained that at the June 27th Manhattan Urban Area Planning Board meeting, Board member Ebert expressed that the amendments to the PUD regulations lacked a clause or language for “serial amendments”, which could allow applicants to repeatedly amend their Final Development Plans with little or no review, based on the criteria for “substantial conformance”. Mr. Isaac said Ebert mentioned the City of Manhattan has such a clause in the Manhattan Development Code and confirmed it with Assistant Director of Community Development John Adam. Mr. Isaac stated that, following the meeting, county planning staff concluded that the existing language, as written, could prevent “serial” amendments, but it could be left to interpretation; thus, staff included specific language as how to directly address potential “serial amendments”.

Mr. Isaac stated there were no other changes.

Mr. Isaac stated that at the August 8th Manhattan Urban Area Planning Board, a public hearing was held and the Planning Board unanimously forwarded a recommendation to the Board of County Commissioners to approve the aforementioned amendments to the Riley County Land Development Regulations.

Staff recommended that the Riley County Planning Board forward a recommendation of approval to the Board of County Commissioners to adopt the proposed amendments, as written in the staff report.

Mr. Isaac announced that the Board of County Commissioners would hear the request on August 22, 2024 at 10:35 am, in the County Commission Chambers.

Board member Platt moved to forward a recommendation of approval to the Board of County Commissioners of Riley County of the proposed amendments to the Riley County Land Development Regulations as published. Vice-Chair Gelroth seconded. Carried 5-0.

Board member Peck moved to adjourn. Board member Platt seconded. Carried 5-0.

RESOLUTION NO. 082224 ____**RESOLUTION AMENDING THE RILEY COUNTY LAND DEVELOPMENT REGULATIONS IN RILEY COUNTY, KANSAS**

WHEREAS, pursuant to the provision of Section 3.8 of the Riley County Land Development Regulations, Riley County Planning Board has made application that an amendment be made to the Riley County Land Development Regulations, to provide for more efficient and equitable administration; and

WHEREAS, the Riley County Planning Board, after duly publishing notice of public hearing on said application, did on August 12, 2024, conduct a public hearing on said application; and

WHEREAS, the Manhattan Urban Area Planning Board, after duly publishing notice of public hearing on said application, did on August 8, 2024, conduct a public hearing on said application; and

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

WHEREAS, the Manhattan Urban Area Planning Board, has submitted their recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending of the application.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF RILEY COUNTY, KANSAS, that the recommendations of the Riley County Planning Board and Manhattan Urban Area Planning Board be accepted and that the Riley County Land Development Regulations are hereby amended as follows:

(additions are italicized and deletions are struck through)

SECTION 5.3 ACCESSORY BUILDINGS, STRUCTURES AND USES**C. Density Requirements**

4. Except for commercial and industrial zoning districts, *a the maximum number of permitted three (3) detached accessory structures shall be as follows: permitted*
 - a. Three (3) for lots or tracts less than five (5) acres;
 - b. Four (4) for lots or tracts five (5) acres to 19.99 acres; and
 - c. Five (5) for lots or tracts 20 acres and larger.

SECTION 4.19 PLANNED UNIT DEVELOPMENT (PUD)

G. F. Standards and Criteria

1. General

The following standards and criteria shall be used by the Planning Board and BOCC in determining approval or denial of a Planned Unit Development district. A proposed Planned Unit Development district, which, if determined to be inconsistent with these standards and criteria, shall not be approved. All Planned Unit Development districts shall be consistent with the following:

- a. The application for a Planned Unit Development shall be filed by the owner(s) of record of all land to be occupied by that district;
- b. The Planned Unit Development shall be in general conformity with the Comprehensive Plan;
- c. The Planned Unit Development will not have a substantially adverse effect on the neighboring area;
- d. The Planned Unit Development provides benefits and amenities that warrant any modification of these regulations that would otherwise apply to the area;
- e. The Planned Unit Development provides design features and benefits that warrant any proposed modification of existing standards relating to public improvements, easements, rights-of-way and service utilities;
- f. Common open space and other common use facilities shall be consistent with the planned function and located within the Planned Unit Development so as to be convenient, readily accessible and visually attractive to all of the intended common users;
- g. The Planned Unit Development contains provisions relating to the location, size, ownership and ongoing maintenance of any lots, easements or rights-of-way for public streets and utilities, common open spaces and facilities, parking areas, and private drives/streets;
- h. Common use recreational facilities such as playgrounds and swimming pools shall be of a size adequate to serve the population for which they are intended;
- i. The Planned Unit Development provides for the location and arrangement of structures and other improvements, such as parking areas, lighting, landscaping, compatible with the surrounding land use;
- j. The Planned Unit Development provides a time schedule for the completion of the development as a whole or in stages;
- k. Off street parking and loading areas shall be provided for all uses within the Planned Unit Development in accordance with the requirements of these regulations; and
- l. When a non-residential Planned Unit Development abuts an existing residential use or an area zoned for residential use, screening shall be provided to assure year-round privacy to the residential use and greater setback requirements shall be provided in accordance with Section 6.8 – Landscaping and Screening.

2. Density Requirements

- a. Minimum Lot Area: No minimum lot area except the development shall meet all requirements of the Riley County Sanitary Code.

- b. Maximum Lot Coverage: The ground area occupied by principal and accessory structures on each lot shall not exceed 50% of the total lot area.

3. Setback Requirements

Setbacks shall be equivalent to those listed for the commercial and industrial districts, except where a parcel abuts an interstate, freeway/expressway (non-interstate), principal arterial, minor arterial or major collector, the required setback shall be as specified in Section 6.6 – Streets, Driveways, and Pedestrian Circulation.

4. Use Limitations

- a. Uses not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan. *Structures and uses determined to be agricultural, as defined herein, shall be exempt from this requirement.*
- ~~b. Structures not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan.~~

~~F. G. Amending a Final Development Plan~~

The Department shall not issue a building permit for any development that is not in conformance with the Final Development Plan; however, a Final Development Plan may be amended *as per the requirements of this section.* ~~except that the total building square footage of the Final Development Plan may be increased by a maximum of 1%.~~

1. *In the event a Final Development Plan is proposed to be amended, staff shall review the amended Final Development Plan for conformity to the originally approved Final Development Plan. The amended Final Development Plan shall be deemed to be in substantial conformance with the originally approved Final Development Plan if the amended Final Development Plan:*
 - a. *Does not vary the proposed gross residential density by more than 5% nor involve a reduction in the area set aside for common open space;*
 - b. *Does not increase the floor area proposed for non-residential use by more than 10%;*
 - c. *Does not increase the total ground area covered by buildings by more than 5% nor increase the heights of buildings by more than 5%, and*
 - d. *Retains the visual and spatial qualities of the original approved Final Development Plan.*
2. *Such amended Final Development Plan shall be submitted to the department drawn in waterproof black ink on a 24x36 inch, 0.004 inch mylar Cronoflex engineering photographic film, at the same scale as the original Final Development Plan. Such amended Final Development Plan shall include items listed in Section 4.19.D.8 of these regulations and include signature certificates for the owner(s) notary, and Director of Planning & Development. Such amended Final Development Plan shall show the changes from the original Final Development Plan and demonstrate substantial conformance with the originally approved Final Development Plan, as noted above.*
3. ~~Any proposed changes beyond these the limits listed above, including any additional uses, structures, platting or replatting, boundary line adjustments or lot splits, shall require an amendment to the Planned Unit Development district that follows formal approval of an amended Preliminary Development Plan and Final Development Plan. Amending a Final~~

Development Plan shall follow an amendment to the Planned Unit Development district that follows the same public hearing process as provided in Section 4.19.H below; however, amending a final development plan shall not be considered a rezoning nor subject to a protest petition. the original rezoning to Planned Unit Development district. This process shall include an amended Preliminary Development Plan and Final Development Plan.

H. Procedures

The following steps are involved in the procedure for amending a Final Development Plan:

1. Pre-Application Conference

A formal pre-application conference is required per Section 3.4 – Pre-Application Conference.

2. Submission of Application

Applications for amending a Final Development Plan may be processed concurrently with applications for platting. All required documents and fees for both processes shall be submitted simultaneously.

3. Final Development Plan

The amended Final Development Plan shall meet the criteria listed for a Final Development Plan in Section 4.19.D.8.

4. Staff Review and Recommendation

Staff shall review the application and make a recommendation pursuant to Section 3.3 – General.

5. Public Notice Requirements

The Notice of Public Hearing shall be published in a manner and within the timeframe prescribed by state law and as required in Section 3.5 – Public Hearing Notice.

6. Planning Board Public Hearing

The Planning Board shall review the amended Final Development Plan, with respect to the applicable standards and criteria herein for a Final Development Plan and shall conduct a public hearing. The Planning Board shall recommend to the BOCC the amended Final Development Plan be approved, approved with revisions, or denied. The Planning Board may also table the request to the next regularly scheduled Planning Board meeting, citing reasons for such tabling.

7. BOCC Public Hearing and Decision.

- a. The BOCC is not required to hold a public hearing to consider the application based upon the recommendation by the Planning Board and shall approve, approve with revisions, table, or deny the proposed amended final development plan; however, if such final development plan contains changes from the originally approved final development plan which are determined by the BOCC to be not in the public interest, it shall not be approved by the BOCC and the owner shall be requested to meet with the BOCC to discuss remedies for the changes therein. If the owner does not agree to the remedies suggested by the BOCC or otherwise declines to revise the proposed amended Final Development Plan as submitted, the BOCC may, within 45 days of the original submission of the proposed amended Final Development Plan, deny approval*

- of the plan and return it to the owner with a written statement setting forth the reasons why one or more changes are not in the public interest.*
- b. In the case of approval by the BOCC, a resolution shall be passed acknowledging such approval of the amended Final Development Plan.*
 - c. Following the denial of an amended Final Development Plan by the BOCC, the owner may choose to revise the plan in accordance with the recommendations of the BOCC and resubmit it for approval or may, within 45 days of receipt of notice of denial, choose to appeal the decision of the BOCC to the district court.*
 - d. After approval of an amended Final Development Plan, the owner shall forthwith record, with the Register of Deeds, any associated plat and any covenants, easements, rights-of-way, bylaws, or other documents that are a part of the amended Final Development Plan.*

I. Amendment of Preliminary and Final Development Plans

Following a review of a proposed amended Final Development Plan, the Director shall have the authority to determine if proposed changes to a Final Development Plan are substantial and will require an amendment to the Planned Unit Development district that follows the same public hearing process as the original rezoning to Planned Unit Development district, including an amended Preliminary Development Plan and Final Development Plan. This process is not considered a rezoning; however, such process is subject to a protest petition. If a protest petition against the request is filed in accordance with Kansas statutes, the request shall not be approved except by at least a ¾ vote of all members of the BOCC.

J. Serial Amendments

A series of amendments that, cumulatively, exceed the threshold for “substantial conformance” to the originally approved final development plan (Section 4.19.G) shall require formal approval of such amendments and be subject to the procedure outlined in Section 4.19.H.

SECTION 5.2 USE-SPECIFIC STANDARDS

J. Commercial Storage and Distribution of Anhydrous Ammonia or Propane

- 1. ~~Setback~~ ~~Such uses~~ Commercial storage and distribution facilities for anhydrous ammonia shall be subject to the setback distance requirements of the Kansas Fertilizer Law Article 4. Commercial Fertilizers, Article 10. Anhydrous Ammonia, Kansas Administrative Regulations, 4-10-4c. Permanent Storage Facility Design And Permanent Storage Container Location, which requires the nearest edge of the nearest permanent storage container shall be located at the following distances:*
 - a. At least 50 feet from the edge of any property not owned or leased by the permanent storage facility;*
 - b. At least 50 feet from a well or other point of diversion used as a source of drinking water;*
 - c. At least 50 feet from storage locations of flammables or explosives;*
 - d. At least 1,000 feet from the area accessible to the public of any public assembly area, as defined in K.A.R. 4-10-1; and*

e. Not on or less than 100 feet from the surface of a public roadway.

Such storage and distribution facilities also shall not be located within 1,000 feet of any residential district boundary, church, school, or other place of public assembly.

The Kansas Department of Agriculture - Pesticide and Fertilizer Program shall confirm such setbacks are met prior to the installation of any proposed commercial anhydrous ammonia storage and/or distribution facilities.

Commercial storage and distribution facilities for propane shall be subject to the setback requirements found in Chapter 61- Liquefied Petroleum Gases of the International Fire Code (IFC). The Riley County Rural Fire Chief shall confirm such setbacks are met prior to the installation of any proposed commercial propane storage and/or distribution facilities.

It is hereby ordered that the Riley County Land Development Regulations be changed to reflect the amendment and that the original resolution incorporating the said official regulations be reference be amended and that said official regulations be re-incorporated by reference as amended.

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

Adopted this 22nd day of August, 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. 082224 ____**RESOLUTION DENYING THE REQUEST TO AMEND THE RILEY COUNTY LAND DEVELOPMENT REGULATIONS IN RILEY COUNTY, KANSAS**

WHEREAS, pursuant to the provision of Section 3.8 of the Riley County Land Development Regulations, Riley County Planning Board has made application that an amendment be made to the Riley County Land Development Regulations, to provide for more efficient and equitable administration; and

WHEREAS, the Riley County Planning Board, after duly publishing notice of public hearing on said application, did on August 12, 2024, conduct a public hearing on said application; and

WHEREAS, the Manhattan Urban Area Planning Board, after duly publishing notice of public hearing on said application, did on August 8, 2024, conduct a public hearing on said application; and

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

WHEREAS, the Manhattan Urban Area Planning Board, has submitted their recommendation and report to the Board of Commissioners of Riley County, Kansas, recommending of the application.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF RILEY COUNTY, KANSAS, that the recommendations of the Riley County Planning Board and Manhattan Urban Area Planning Board be considered and that the Riley County Land Development Regulations are hereby NOT amended as follows:

(additions are italicized and deletions are struck through)

SECTION 5.3 ACCESSORY BUILDINGS, STRUCTURES AND USES**C. Density Requirements**

4. Except for commercial and industrial zoning districts, *a the maximum number of permitted three (3) detached accessory structures shall be as follows: permitted*
 - a. Three (3) for lots or tracts less than five (5) acres;
 - b. Four (4) for lots or tracts five (5) acres to 19.99 acres; and
 - c. Five (5) for lots or tracts 20 acres and larger.

SECTION 4.19 PLANNED UNIT DEVELOPMENT (PUD)

G. F. Standards and Criteria

1. General

The following standards and criteria shall be used by the Planning Board and BOCC in determining approval or denial of a Planned Unit Development district. A proposed Planned Unit Development district, which, if determined to be inconsistent with these standards and criteria, shall not be approved. All Planned Unit Development districts shall be consistent with the following:

- a. The application for a Planned Unit Development shall be filed by the owner(s) of record of all land to be occupied by that district;
- b. The Planned Unit Development shall be in general conformity with the Comprehensive Plan;
- c. The Planned Unit Development will not have a substantially adverse effect on the neighboring area;
- d. The Planned Unit Development provides benefits and amenities that warrant any modification of these regulations that would otherwise apply to the area;
- e. The Planned Unit Development provides design features and benefits that warrant any proposed modification of existing standards relating to public improvements, easements, rights-of-way and service utilities;
- f. Common open space and other common use facilities shall be consistent with the planned function and located within the Planned Unit Development so as to be convenient, readily accessible and visually attractive to all of the intended common users;
- g. The Planned Unit Development contains provisions relating to the location, size, ownership and ongoing maintenance of any lots, easements or rights-of-way for public streets and utilities, common open spaces and facilities, parking areas, and private drives/streets;
- h. Common use recreational facilities such as playgrounds and swimming pools shall be of a size adequate to serve the population for which they are intended;
- i. The Planned Unit Development provides for the location and arrangement of structures and other improvements, such as parking areas, lighting, landscaping, compatible with the surrounding land use;
- j. The Planned Unit Development provides a time schedule for the completion of the development as a whole or in stages;
- k. Off street parking and loading areas shall be provided for all uses within the Planned Unit Development in accordance with the requirements of these regulations; and
- l. When a non-residential Planned Unit Development abuts an existing residential use or an area zoned for residential use, screening shall be provided to assure year-round privacy to the residential use and greater setback requirements shall be provided in accordance with Section 6.8 – Landscaping and Screening.

2. Density Requirements

- a. Minimum Lot Area: No minimum lot area except the development shall meet all requirements of the Riley County Sanitary Code.

- b. Maximum Lot Coverage: The ground area occupied by principal and accessory structures on each lot shall not exceed 50% of the total lot area.

3. Setback Requirements

Setbacks shall be equivalent to those listed for the commercial and industrial districts, except where a parcel abuts an interstate, freeway/expressway (non-interstate), principal arterial, minor arterial or major collector, the required setback shall be as specified in Section 6.6 – Streets, Driveways, and Pedestrian Circulation.

4. Use Limitations

- a. Uses not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan. *Structures and uses determined to be agricultural, as defined herein, shall be exempt from this requirement.*
- ~~b. Structures not specifically listed on the Final Development Plan shall not be permitted except by amendment of such plan.~~

~~F. G. Amending a Final Development Plan~~

The Department shall not issue a building permit for any development that is not in conformance with the Final Development Plan; however, a Final Development Plan may be amended *as per the requirements of this section.* ~~except that the total building square footage of the Final Development Plan may be increased by a maximum of 1%.~~

1. *In the event a Final Development Plan is proposed to be amended, staff shall review the amended Final Development Plan for conformity to the originally approved Final Development Plan. The amended Final Development Plan shall be deemed to be in substantial conformance with the originally approved Final Development Plan if the amended Final Development Plan:*
 - a. *Does not vary the proposed gross residential density by more than 5% nor involve a reduction in the area set aside for common open space;*
 - b. *Does not increase the floor area proposed for non-residential use by more than 10%;*
 - c. *Does not increase the total ground area covered by buildings by more than 5% nor increase the heights of buildings by more than 5%, and*
 - d. *Retains the visual and spatial qualities of the original approved Final Development Plan.*
2. *Such amended Final Development Plan shall be submitted to the department drawn in waterproof black ink on a 24x36 inch, 0.004 inch mylar Cronoflex engineering photographic film, at the same scale as the original Final Development Plan. Such amended Final Development Plan shall include items listed in Section 4.19.D.8 of these regulations and include signature certificates for the owner(s) notary, and Director of Planning & Development. Such amended Final Development Plan shall show the changes from the original Final Development Plan and demonstrate substantial conformance with the originally approved Final Development Plan, as noted above.*
3. *Any proposed changes beyond these the limits listed above, including any additional uses, structures, platting or replatting, boundary line adjustments or lot splits, shall require an amendment to the Planned Unit Development district that follows formal approval of an amended Preliminary Development Plan and Final Development Plan. Amending a Final*

Development Plan shall follow an amendment to the Planned Unit Development district that follows the same public hearing process as provided in Section 4.19.H below; however, amending a final development plan shall not be considered a rezoning nor subject to a protest petition. the original rezoning to Planned Unit Development district. This process shall include an amended Preliminary Development Plan and Final Development Plan.

H. Procedures

The following steps are involved in the procedure for amending a Final Development Plan:

1. Pre-Application Conference

A formal pre-application conference is required per Section 3.4 – Pre-Application Conference.

2. Submission of Application

Applications for amending a Final Development Plan may be processed concurrently with applications for platting. All required documents and fees for both processes shall be submitted simultaneously.

3. Final Development Plan

The amended Final Development Plan shall meet the criteria listed for a Final Development Plan in Section 4.19.D.8.

4. Staff Review and Recommendation

Staff shall review the application and make a recommendation pursuant to Section 3.3 – General.

5. Public Notice Requirements

The Notice of Public Hearing shall be published in a manner and within the timeframe prescribed by state law and as required in Section 3.5 – Public Hearing Notice.

6. Planning Board Public Hearing

The Planning Board shall review the amended Final Development Plan, with respect to the applicable standards and criteria herein for a Final Development Plan and shall conduct a public hearing. The Planning Board shall recommend to the BOCC the amended Final Development Plan be approved, approved with revisions, or denied. The Planning Board may also table the request to the next regularly scheduled Planning Board meeting, citing reasons for such tabling.

7. BOCC Public Hearing and Decision.

- a. The BOCC is not required to hold a public hearing to consider the application based upon the recommendation by the Planning Board and shall approve, approve with revisions, table, or deny the proposed amended final development plan; however, if such final development plan contains changes from the originally approved final development plan which are determined by the BOCC to be not in the public interest, it shall not be approved by the BOCC and the owner shall be requested to meet with the BOCC to discuss remedies for the changes therein. If the owner does not agree to the remedies suggested by the BOCC or otherwise declines to revise the proposed amended Final Development Plan as submitted, the BOCC may, within 45 days of the original submission of the proposed amended Final Development Plan, deny approval*

- of the plan and return it to the owner with a written statement setting forth the reasons why one or more changes are not in the public interest.*
- b. In the case of approval by the BOCC, a resolution shall be passed acknowledging such approval of the amended Final Development Plan.*
 - c. Following the denial of an amended Final Development Plan by the BOCC, the owner may choose to revise the plan in accordance with the recommendations of the BOCC and resubmit it for approval or may, within 45 days of receipt of notice of denial, choose to appeal the decision of the BOCC to the district court.*
 - d. After approval of an amended Final Development Plan, the owner shall forthwith record, with the Register of Deeds, any associated plat and any covenants, easements, rights-of-way, bylaws, or other documents that are a part of the amended Final Development Plan.*

I. Amendment of Preliminary and Final Development Plans

Following a review of a proposed amended Final Development Plan, the Director shall have the authority to determine if proposed changes to a Final Development Plan are substantial and will require an amendment to the Planned Unit Development district that follows the same public hearing process as the original rezoning to Planned Unit Development district, including an amended Preliminary Development Plan and Final Development Plan. This process is not considered a rezoning; however, such process is subject to a protest petition. If a protest petition against the request is filed in accordance with Kansas statutes, the request shall not be approved except by at least a $\frac{3}{4}$ vote of all members of the BOCC.

J. Serial Amendments

A series of amendments that, cumulatively, exceed the threshold for “substantial conformance” to the originally approved final development plan (Section 4.19.G) shall require formal approval of such amendments and be subject to the procedure outlined in Section 4.19.H.

SECTION 5.2 USE-SPECIFIC STANDARDS

J. Commercial Storage and Distribution of Anhydrous Ammonia or Propane

- 1. ~~Setback—Such uses~~ Commercial storage and distribution facilities for anhydrous ammonia shall be subject to the setback distance requirements of the Kansas Fertilizer Law Article 4. Commercial Fertilizers, Article 10. Anhydrous Ammonia, Kansas Administrative Regulations, 4-10-4c. Permanent Storage Facility Design And Permanent Storage Container Location, which requires the nearest edge of the nearest permanent storage container shall be located at the following distances:*
 - a. At least 50 feet from the edge of any property not owned or leased by the permanent storage facility;*
 - b. At least 50 feet from a well or other point of diversion used as a source of drinking water;*
 - c. At least 50 feet from storage locations of flammables or explosives;*
 - d. At least 1,000 feet from the area accessible to the public of any public assembly area, as defined in K.A.R. 4-10-1; and*

e. Not on or less than 100 feet from the surface of a public roadway.

Such storage and distribution facilities also shall not be located within 1,000 feet of any residential district boundary, church, school, or other place of public assembly.

The Kansas Department of Agriculture - Pesticide and Fertilizer Program shall confirm such setbacks are met prior to the installation of any proposed commercial anhydrous ammonia storage and/or distribution facilities.

2. *Commercial storage and distribution facilities for propane shall be subject to the setback requirements found in Chapter 61- Liquefied Petroleum Gases of the International Fire Code (IFC). The Riley County Rural Fire Chief shall confirm such setbacks are met prior to the installation of any proposed commercial propane storage and/or distribution facilities.*

It is hereby ordered that the Riley County Land Development Regulations not be changed to reflect the proposed amendment.

Denied this 22nd day of August, 2024

BOARD OF COMMISSIONERS
OF RILEY COUNTY, KANSAS

John Ford, Chair

Greg McKinley, Vice Chair

Kathryn Focke, Member

ATTEST:

Rich Vargo, Riley County Clerk