

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

MONDAY, JANUARY 26, 2009

8:30 a.m. (Meet in the Commission Chamber)

-Convene

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval for purchase of 16 Motorola portable radios and accessories (Ken McGovern);
- (c) Approval of township notice for cereal malt beverage license for The Clinton Store (Clerk's office); and
- (d) Consider approval of annual Noxious Weed Management Plan (Keith Browning)

REGULAR AGENDA

- (2) Consider approval of resolution rescinding action of Board of County Commissioners taken on November 12, 2008 and repealing Resolution 08-50 (which has never become effective), all relating to CPA-2004-02, amendments to Chapter 7: Industrial and Employment Related Land Use, of the joint City-County Comprehensive Plan, *Horizon 2020*. (Craig Weinaug)
- (3) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment

- (4) Adjourn

TUESDAY, JANUARY 27, 2009

4:00-6:00 p.m.-Joint Study Session on Economic Development with City Commission, County Commission and Chamber of Commerce (City Hall)

WEDNESDAY, JANUARY 28, 2009

MONDAY, FEBRUARY 2, 2009

-Consider approval for CPA-2008-3 to amend Chapter 6 Commercial Land Use – inner-neighborhood commercial centers (Dan Warner)

-Presentation on 2009 Real Estate Values (Marion Johnson)

TUESDAY, FEBRUARY 3, 2009

4:00-6:00 p.m.-Joint Study Session on Economic Development with City Commission, County Commission and Chamber of Commerce (City Hall)

WEDNESDAY, FEBRUARY 4, 2009

6:35 p.m. (Meeting held at Eudora City Hall)

-Joint study with the City of Eudora to receive and discuss the traffic impacts of the new turnpike terminal being constructed north of Eudora.

MONDAY, FEBRUARY 9, 2009

WEDNESDAY, FEBRUARY 11, 2009

- Consider approval of TA-10-17-08, resolution regarding the requirements for Build Out Plans (Mary Miller)
- Consider recommended amendments to ECO2 plan (Larry McElwain)

MONDAY, FEBRUARY 16, 2009

WEDNESDAY, FEBRUARY 18, 2009

- No Commission Meeting

MONDAY, FEBRUARY 23, 2009

WEDNESDAY, FEBRUARY 25, 2009

- Discuss Lawrence Freenet Rural Broadband initiative (Josh Montgomery)

Note: The Douglas County Commission meets regularly on Mondays at 8:30 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

OFFICE OF

Steve Hornberger, Undersheriff
111 E 11th St – Operations
Lawrence, KS 66044
(785) 841-0007, fax (785) 841-5168



THE SHERIFF

Ken Massey, Undersheriff
3601 E 25th St – Corrections
Lawrence, KS 66046
(785) 830-1000, fax (785) 830-1085

KENNETH M. MCGOVERN
Sheriff

January 5, 2009

To: Craig Weinaug, Douglas County Administrator
From: Ken McGovern, Sheriff

SUBJECT: 2009 RADIO PURCHASES

I request that an initial purchase of 15 Motorola XTS 5000 portable radios and accessories be added to the Douglas County Commission's consent agenda. This transaction will be made with TFM Communications via state contract number 28440 and is expected to cost \$54,477.38. Funds for this purchase were included in the 2009 budget and are contained within line item 81410.

This purchase is part of a Project 25 compliance purchase project. Project 25 is a Federal Communications Commission mandate requiring that all public safety radio systems be changed from analog to digital by the year 2018. In 2007, the Douglas County Commission agreed to allow the Sheriff's Office to phase the purchases of these digital radios over the course of five years (2007, 2008, 2009, 2010, and 2011) becoming compliant by 2012. This was done with the intention of being able to receive a better market value for the current radios.

I have included copies of the vendor information and price quotation with this request. If you have any further questions, please feel free to contact me.

Respectfully,



Sheriff Ken McGovern



Dealer/Agent/MR Quotation

Date: Jan. 02, 2009

GCC Case #: _____

Quoting as:

APB	
MR	X
Agent	

Dealer/Agent/MR Name: **TFMCOMM/LISA ROWLAND**
 MR/Agent Address: **125 SW JACKSON**
 City: **TOPEKA**
 State/Zip: **KS, 66603**

Prepared By: **LISA ROWLAND**
 email: **LROWLAND@TFMCOMM.COM**

Prepared For: **DOUGLAS COUNTY SHERIFF**
 Street: **111 E 11TH**
 City: **LAWRENCE**
 State/Zip: **KS, 66004**
 Attn: **GARY BUNTING**

Phone: **785-233-2343**
 Bill To: **SAME**
 Street: _____
 City: _____
 State/Zip: _____
 Attn: _____

Fax: **785-234-6848**
 Ship to: **SAME**
 Street: _____
 City: _____
 State/Zip: _____
 Attn: _____

Customer Name: _____
 Customer # _____
 Ultimate Destination: **SAME**
 Street: _____
 City: _____
 State/Zip: _____
 Attn: _____

THIS QUOTE IS BASED ON THE FOLLOWING:

This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal. If you wish to purchase the quoted products, Motorola will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products. Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes. Purchaser will be responsible for shipping costs, which will be added to the invoice. Prices quoted are valid for thirty(30) days from the date of this quote. Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.

NOTICE TO THE TOWNSHIP BOARD

STATE OF KANSAS DOUGLAS COUNTY, ss

TO THE TOWNSHIP CLERK, CLINTON TOWNSHIP

This is to notify the members of your Township Board that application has been filed with the Douglas County Commission for **The Clinton Store** to sell Cereal Malt Beverages at retail for consumption off the premises: **598 N 1190 Rd.**

The Township Board may within (10) days file an advisory recommendation as to the granting of such a license and such advisory recommendation shall be considered by the Board of County Commissioners before such license is issued KSA 41-2702.

Done by the Board of County Commissioners this 26th day of January, 2009.

CHAIRMAN

COUNTY CLERK

(SEAL)

The board of county commissions in any county shall not issue a license without giving the clerk of the township board in the township where the applicant desires to locate, written notice by registered mail, of the filing of the application.



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*
Mike Perkins, Operations Division Manager

Date : January 15, 2009

Re : Annual Noxious Weed Management Plan Approval

Attached is a copy of the Douglas County Noxious Weed Management Plan. This plan will be sent to the Kansas Department of Agriculture and requires signatures of the Board of County Commissioners.

There are three changes we are proposing to the Noxious Weed Management Plan, two involving new chemicals and one proposing restricting the beginning date of sale. We will be offering a generic version of Tordon 22K called Picloram 22K. We will be introducing a new chemical for the control of musk thistle that provides a similar residual control as Tordon 22k but it is not a restricted use pesticide. The third change to the plan involves creation of a starting date for the sale of Glyphosate. We propose to begin selling this chemical after May 15th. This change will help to insure that it is only used for the eradication of Johnsongrass.

ACTION: Recommend approval of the plan and signatures of all Board of County Commission members.

DOUGLAS COUNTY NOXIOUS WEED MANAGEMENT PLAN

PURPOSE:

The Douglas County Noxious Weed Division is part of the Public Works Department with the objective of educating the general public and governing bodies in the control of State declared noxious weeds and the Kansas Noxious Weed Law. The Noxious Weed Division is responsible for eradicating noxious weeds along County maintained highway right-of-ways and other County owned properties; State roads; make available for sale approved herbicides for the treatment of noxious weeds; and enforcement of the Noxious Weed Law.

RESOURCES:

The following resources are available to the Department to accomplish their stated mission:

- Full time Weed Director
- Secretarial duties performed by the Operations Division Secretary
- One full-time Vegetation Management Worker II
- One seasonal laborer during spray season
- Two trucks equipped with mounted chemical sprayers
- Three rental trailers mounted chemical sprayers available to County property owners
- Chemical warehouse with a 5,000 gallon storage capacity, clothes washer and emergency shower and eye wash station
- GPS system
- Digital camera

The automation of the County Appraisers Office has progressed to allow a geographical informational system. The weed department has invested in a simple GPS system to aid in the pinpoint accuracy of infestations, identifying property owners, and eliminating days of processing and mis-identification.

Additional *external* resources available to the department consist of Public Works Road Crews that conduct asphalt maintenance. Both crews are routinely trained in the identification of some noxious weeds. The Weed Director will maintain open communications with the Official County newspaper and local radio station KLWN for public service announcements and informative articles. Contact and joint inspections will be conducted with the Agriculture Agent of the County Extension Office when requested.

PROFESSIONAL DEVELOPMENT:

The Weed Director and Vegetation Maintenance Worker II will maintain chemical applicator certification 9A.

Departmental personnel will attend the Annual Weed Conference and Summer Training Workshop when budgetary funds are available and training agenda's of significant substance are published. Monthly district meetings will be attended when time permits.

Membership in the County Weed Directors Association of Kansas and a professional library will be maintained in the Weed Director's office.

Safety Policy, OSHA requirements and Material Safety Data Sheets of all chemicals used will be kept on file and available to all personnel and customers.

OUTREACH PROGRAMS:

Mass media assets will be used whenever the opportunity arises. During the Douglas County Fair departmental personnel may man an information booth during normal work hours. The weed director will be available to attend City and Township meetings and any public presentation opportunities.

Seed inspections will be conducted for all Co-Op's in the county upon request or complaints. There are no known custom harvesters registered in Douglas County but Custom Harvester Labels will be available in the Weed Department, free of charge.

Douglas County Noxious Weed Department has set-up a program with the Grape Growers for a "No Spray Zone" around sensitive spray areas.

NOXIOUS WEED CONTROL:

The noxious weeds currently present in Douglas County are: Musk Thistle; Canada Thistle; Field Bindweed; Johnson Grass; and Sericea Lespedeza.

The Noxious Weed Division will operate within the bounds of the Kansas Noxious Weed Law K.S.A. Article 13, Chapters 2-1314 thru 2-1333, and the approved Control Methods of the Kansas State Board of Agriculture. Right-of-way programs are attached at Appendixes A – D.

The Noxious Weed Division issues a General Notice to Control Noxious Weeds the first of April that is published in the official County newspaper.

Reminder postcards will be mailed to landowners of known and habitual infestations to announce opportune spray conditions and effective treatments.

Official Warning Notices and Legal Notices will be mailed to landowners and supervising agencies in non-compliance of the weed law based from visual inspections of routine patrolling and citizen complaints. A follow-up inspection/postcard will be mailed to all Official Warning notice recipients to confirm treatment results or identify further eradication needed.

Charges will be filed through the District Attorney's office on individuals who will not respond to written notice or refuse to comply with the weed law.

Approved herbicides will be sold to qualified individuals through the cost share program at a subsidized rate equal to 75% of the total cost incurred by the County in the purchasing, storing, and handling of chemical materials. Prices will be rounded up to the nearest dollar.

To ensure disciplined compliance with the Noxious Weed Law the only limitations on chemical sales will be:

- Glyphosate - - 10 gallons per season
- No sale of Glyphosate till May 15th
- No sale of Tordon 22K from July 1st to September 1st

The Weed Director may approve purchases in excess of the stated limitations after an inspection of reported infestations.

The weed department will maintain a working list of Points of Contact for the control of noxious weeds on township lands, state highways, and all cities within the County boundaries.

We certify that this is a correct copy of the Douglas County 2007 Noxious Weed Management Plan as required by K.S.A. 2-1317.

Charles Jones, Chairman, Board of Commissioners

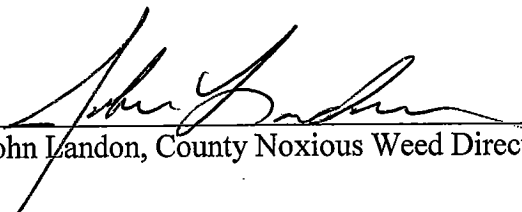
Date

Nancy Thellman, Commissioner

Date

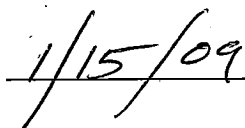
Jim Flory, Commissioner

Date



John Landon, County Noxious Weed Director

Date


1/15/09

APPENDIX A
RIGHT OF WAY PROGRAM
FOR
FIELD BINDWEED

OBJECTIVE: Control field bindweed with the least damage to desirable vegetation at a minimum cost. To achieve this objective, most of the treatment must be accomplished in the **fall**.

PRIORITIES: 1. Highly traveled visible areas.

METHOD: 1. Map infestations of noxious weeds.

2. Identify sensitive areas.

a. Ornamental planting

b. High water tables

c. Areas subject to high pedestrian traffic

d. Areas where drainage water moves off the property

FALL TREATMENT PROGRAM OCTOBER 1 – SOIL FREEZE UP

1. Treat areas with 8 – 12 oz of Tordon
2. Treat areas with 3 – 7oz of Milestone

SPRING TREATMENT PROGRAM JUNE 1 – JULY 1

1. Treat known infestations with 2,4-D and Tordon 22K

SUMMER TREATMENT PROGRAM JULY 1 – OCTOBER 1

1. Spot treat only if the field bindweed is not under stress, 2,4-D
2. Full spray with Tordon 22K after September 1st
3. Use Escort around grape vineyards and orchards, where you can't spray 2,4-D or Tordon 22K

APPENDIX B

RIGHT OF WAY PROGRAM
FOR
MUSK THISTLE

OBJECTIVE: Control musk thistle with the least damage to desirable vegetation at a minimum cost and prevent the production of viable seed. To achieve this objective, most of the treatment must be accomplished in the **fall**.

- PRIORITIES: 1. Highly traveled visible areas.
2. An area adjacent to pastures, vacant lots, or waste areas

- METHOD: 1. Map infestations of noxious weeds
2. Identify sensitive areas.
- a. Ornamental planting
 - b. High water tables
 - c. Areas subject to high pedestrian traffic
 - d. Areas where drainage water moves off the property
3. Identify areas where frequent mowing occurs

FALL TREATMENT PROGRAM OCTOBER 1 – SOIL FREEZE UP

1. Treat rural areas with 8 fl oz per acre of Tordon
2. Treat rural areas with 5 fl oz per acre of Milestone

SPRING TREATMENT PROGRAM MARCH 15 – JUNE 30

1. Treat known infestations not treated in the fall with 8 oz. Tordon or 1 to 2 qts. 2,4-D. After bolting use 10 fl oz Tordon 22K + 1 qt. 2,4-D-A.
2. When flowering starts use ½ oz of Escort to kill germination.
3. Check and treat all previously treated areas and spot treat or dig missed rosettes.
4. Precise spot treatment or preferably hand digging for musk thistle found in areas where Crown Vetch is growing.

APPENDIX B
RIGHT OF WAY PROGRAM
FOR
MUSK THISTLE

SUMMER TREATMENT PROGRAM JUNE 1 – OCTOBER 1

1. Frequent mowing in high maintenance areas.
2. Use Escort if flowering
3. Check and treat all previously treated areas and spot treat or dig missed rosettes.

APPENDIX C
RIGHT OF WAY PROGRAM
FOR
JOHNSON GRASS

OBJECTIVE: Control Johnson Grass with the least damage to desirable vegetation at a minimum cost and prevents the production of viable seed. To achieve this objective, most of the treatment must be accomplished in the **fall**.

PRIORITIES: 1. Highly traveled, visible areas

METHOD: 1. Map infestations of noxious weeds

2. Identify sensitive areas

a. Ornamental planting

b. High water tables

c. Areas subject to high pedestrian traffic

d. Areas where drainage water moves off the property

FALL TREATMENT PROGRAM OCTOBER 1 – SOIL FREEZE UP

1. Spot treat areas with Glyphosate (Roundup) or Plateau,

2. Treat around ornamentals with Glyphosate

SPRING/SUMMER TREATMENT PROGRAM JUNE 1 – OCTOBER 1

1. Spot treat only if the Johnson Grass is not under stress, with Glyphosate (Roundup) at ½ gal per acre or 2 oz per 1 gallon water.

2. Frequent mowing will control Johnson Grass. Mow in the early boot stage of growth.

APPENDIX D

RIGHT OF WAY PROGRAM FOR SERICEA LESPEDEZA

DESCRIPTION: Perennial, stems erect to 5 ft tall, appressed hairy only along the ridges on the stem, leaves with 3 leaflets, leaflets less than 1 inch long and less than ¼ inch wide, wedge-shaped (cuneate), flowers few (1-4) in the axils of the leaves from mid or late July to October, petals yellowish or tinged with purple, about ¼ inch long, fruit (pod) about 1/8 inch long, roundish with pointed ends in outline, flattened.

PREVENTION: Sericea Lespedeza spreads primarily by seeds. Persons planting mixtures of seeds for erosion control and for wildlife habitat should ensure Sericea Lespedeza is not included in the mix.

METHOD: Control of Sericea Lespedeza shall mean preventing production of viable seed.

FALL TREATMENT PROGRAM SEPTEMBER thru NOVEMBER

1. Spot spray with 2 pts. Remedy + 1 qt. 2,4-D
2. Or spot spray with ½ oz Escort
3. PastureGard 1 ½ pts
4. Mowing will help control.

SPRING TREATMENT PROGRAM

1. No treatment
2. Need to wait until all seed have sprouted and growing around May 15th starts

SUMMER TREATMENT PROGRAM JULY thru SEPTEMBER

1. Full spray areas with 2 pts. Remedy + 1 qt. 2,4-D
2. Or ½ oz Escort + 2,4-D
3. PastureGard 1 ½ pts
4. Identify:
 - a. Sensitive areas
 - b. High water tables
 - c. Areas where drainage water moves off the property

RESOLUTION NO. _____

A RESOLUTION RESCINDING ACTION OF BOARD OF COUNTY COMMISSIONERS TAKEN ON NOVEMBER 12, 2008 AND REPEALING RESOLUTION 08-50 (WHICH HAS NEVER BECOME EFFECTIVE), ALL RELATING TO CPA-2004-02, AMENDMEMTS TO CHAPTER 7: INDUSTRIAL AND EMPLOYMENT RELATED LAND USE, OF THE JOINT CITY-COUNTY COMPREHENSIVE PLAN, *HORIZON 2020*

WHEREAS, on November 12, 2008, the Board of County Commissioners of Douglas County, Kansas (the "Board") considered and approved CPA-2004-02, amendments to Chapter 7: Industrial and Employment Related Land Use, of the Joint City of Lawrence, Douglas County Kansas Comprehensive Plan, *Horizon 2020*; and

WHEREAS, as part of its action taken on November 12, 2008, the Board approved Joint City Ordinance 8283/County Resolution 08-50, which would become effective upon approval by the City of Lawrence and publication; and

WHEREAS, members of the Board have not signed Joint City Ordinance 8283/County Resolution 08-50, the City of Lawrence has not formally approved the Joint City Ordinance/Resolution, it has not been published, and it is not yet effective; and

WHEREAS, because Joint City Ordinance 8283/County Resolution 08-50 is not yet effective, the amendments to Chapter 7 of *Horizon 2020*, as described above and further described in the joint Ordinance/Resolution, have not become effective; and

WHEREAS, the Board desires to rescind the action it took on November 12, 2008 relating to adoption of the amendments to Chapter 7 of *Horizon 2020* so that it can further study and, perhaps, modify said amendments.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, AS FOLLOWS:

1. Action of the Board relating to the approval CPA-2004-02, amendments to Chapter 7: Industrial and Employment Related Land Use, of the Joint City of Lawrence, Douglas County Kansas Comprehensive Plan, *Horizon 2020*, is hereby rescinded and of no effect.
2. Resolution 08-50, which has not been signed or published, and has not become effective, is repealed.
3. This Resolution shall become effective upon its adoption by the Board.

ADOPTED this _____ day of _____, 2009.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Charles Jones, Chair

ATTEST:

Nancy Thellman, Vice-Chair

Jamie Shew, County Clerk

Jim Flory, Member