

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, MAY 16, 2012

4:00 p.m.

-Convene-

-Consider approval of the minutes for April 4, 2012.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approving the 7th Judicial District Capital Outlay Grant Award from the Juvenile Justice Authority. (Pam Weigand);
- (c) Consider approval to the purchase of a Ford Fusion Hybrid with Shawnee Mission Ford in the amount of \$26,005 for Youth Services (Jackie Waggoner/Pam Weigand);
- (d) Consider waiving formal bidding process and authorizes staff to access the State of Nebraska contract with Murphy Tractor for a motor grader in the amount of \$191,960 with the buy-back provision, and accept the amount of 67,635.07 not under contract for a total cost of \$259,595.07. (Jackie Waggoner); and
- (e) Consider approval of acquisition of right of way for bridge no. 11.00N – 12.40E (Michael Kelly)

REGULAR AGENDA

- (2) Consider proposed reorganization of economic development functions (Weinaug, Ross)
- (3) Consider acceptance of dedication of right-of-way for Final Plat, PF-1-1-12, for Sadies Lake Addition, a one-lot subdivision of approximately 205 acres located at 778 E 1300 Road. Submitted by Grob Engineering Services, for Sadies Lake LC, property owner of record. The Planning Director administratively approved the final plat on April 27, 2012. (Mary Miller will present the item)
- (4) Commission discussion of the Resolution Implementing Open Burning Regulations in the unincorporated areas of Douglas County. (Jim Flory)
- (5) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments:
 - Lawrence-Douglas County Metropolitan Planning Commission - 05/12
 - Property Crimes Compensation Board - 04/12
 - Heritage Conservation Council (2) Positions – 05/12
 - (c) Public Comment
 - (d) Miscellaneous

RECESS

6:35 p.m.

- (6) Discuss KDOT removal of climbing lane on existing US-59 at Pleasant Grove prior to turning over the roadway to Douglas County (Keith Browning)
- (7) Receive a presentation from KDOT on the planned interchange at Bob Billings Parkway & K-10 highway (Keith Browning)
- (8) Adjourn

WEDNESDAY, MAY 23, 2012 - cancelled

WEDNESDAY, MAY 30, 2012

4:00 p.m. (Proclamation for Relay for Life Week June 3-9)

-TA-8-11-11: Consider a Text Amendment to the Douglas County Zoning Regulations for the Unincorporated Territory of Douglas County to establish *Agritourism* as a use in the County A (Agriculture) District. (PC Item 3; approved 8-0 on 3/26/12) Mary Miller will present the item.

WEDNESDAY, JUNE 13, 2012

6:35 p.m.

-Discussion on Resolution implementing open burning regulations for the unincorporated areas of Douglas County

WEDNESDAY, JUNE 20, 2012

6:00 p.m.

-Presentation from Fair Grounds CIP Committee

WEDNESDAY, JULY 11, 2012 4:00 p.m. – Cancelled; 6:35 p.m. – Tentatively Cancelled

Note: *The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

MEMORANDUM

TO: Board of County Commissioners, Douglas County
Craig Weinaug, County Administrator

FROM: Pam Weigand

SUBJECT: Grant Award Approval

DATE: May 8, 2012

Youth Services applied for Capital Outlay funds that were available from the Kansas Juvenile Justice Authority. We were awarded \$28,582.00 which is the amount we requested. Acceptance of the award requires signatures from the Board of County Commissioners and the Juvenile Corrections Advisory Board Chair. I have attached our Capital Outlay Application Request and the grant award letter for your information.

I will be available at the Commission meeting should you have any questions.

**Juvenile Justice Authority
State Fiscal Year 2012
Capital Outlay/Equipment
Request for Funding**

1) Grantee Name & Address	2) Grant Period:
Name: Pam Weigand	From: June 15, 2012
Agency: Douglas County Youth Services	
Address: 330 Industrial Lane	To: December 31, 2012
Lawrence, KS 66044	
Phone: 785-331-1300 Fax: 785-331-1304	Amount Requested: \$28,582.00
Email: pweigand@douglas-county.com	

Please list in order of Funding Priority

Narrative:

1. The department currently uses five (5) vehicles to meet all of our transportation needs. We are responsible for transportation of ISP and CM clients to court hearings, appointments and placements; compliance with the monthly federal face-to-face visit requirements; and providing evening and weekend field surveillance of ISP and CM clients. Several of the departments vehicles are at the end of their useful life due to high mileage and age. We are requesting grant funds to replace one (1) vehicle with a cage at a cost of \$ 18,896.00

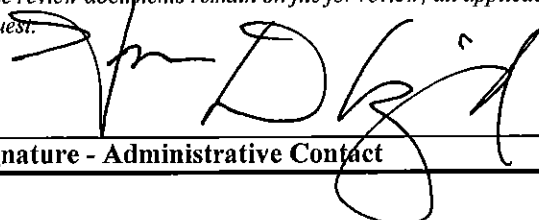
2. As a County public safety agency Douglas County Youth Services is required to upgrade all of the agency's radio equipment to comply with the digital narrow banding of all public safety radio communications. Effective communication is essential to ensuring the safety of JISP/CM and surveillance staff. As part of that effort we are requesting grant funds to replace the five vehicle charger kits so they are compatible with the new digital handheld radio equipment. At a cost of \$1,579.50. We are also requesting two (2) XTS 2500 handheld radios (replacement) for Surveillance staff use, The cost per radio is \$2,459.50/ \$4,919.00. Total communication equipment request is \$ 6,498.50

3. We offer a Baby Think it Over course to our clients, the course covers issues around, responsible sexual behavior, sexually transmitted diseases, parenting, family planning including budgeting. As part of the course work participants take home a "Realityworks" simulation baby that is programmable. ISP staff can monitor how well the youth did taking care of the simulation baby. Proper care of the simulated baby is required to complete the course with a satisfactory rating. Our current Realityworks simulation babies are very old, with outdated technology and are in need of replacement. The newer model babies are wireless and much easier to monitor. We would like to purchase four (4) Realityworks babies to replace our current Realityworks babies at a cost of \$3,187.30

4

5) Certifications:

Submission of the narrative and signature by county official serves as certification to JJA that the narrative is complete; all requests were reviewed and those review documents remain on file for review; all applicable laws, standards, Financial Rules and Guidelines were followed for the purpose of this request.



Signature - Administrative Contact

5-May-12
Date

714 SW Jackson
Suite 300
Topeka, KS 66603



phone: 785-296-4213
fax: 785-296-1412
jja@jja.ks.gov
www.jja.ks.gov

Terri Williams, Acting Commissioner

Juvenile Justice Authority

Sam Brownback, Governor

May 7th, 2012

Ms. Pam Weigand
Douglas County Youth Services
330 Industrial Lane
Lawrence, KS 66044-1471

Re: SFY 12 Capital Outlay/Equipment Grant Acceptance Letter

Dear Pam:

JJA has completed a review of you Capital Outlay application and your request in the amount of **\$28,582.00** has been approved. In order to accept this award signature of both the Board of County Commission and JCAB Chairs must be returned to Sandy Barnett by June 15th, 2012. Payment will be made when the acceptance letter has been returned.

Grant recipients shall adhere to the provision of the Juvenile Justice Authority's Financial Rules and Guidelines. Any changes to the approved application must be submitted in writing for approval along with signatures of BOCC and JCAB for any amount over \$5,000.00.

The deadline to expend funding is December 31, 2012. All purchases for capital outlay must follow your established procurement policies. Final reports will be due January 31, 2013. Should you have any questions please contact myself or Sandy at 785-296-4293.

Sincerely,

Keith Bradshaw
Director of Operations

Acceptance of Award

Board of County Commission, Chair

JCAB, Chair

Date

Date

5-8-2012

MEMO TO: The Board of County Commissioners
 Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
 Division of Purchasing

SUBJECT: Consider Purchase of a Vehicle for Youth Services

DATE: May 10, 2012

Funds are available through a JJA (Juvenile Justice Authority) grant to replace a 1999 Ford Taurus with 127,240 miles for Youth Services. This vehicle will be sold through our auction services.

Douglas County participated in the regional cooperative bid for 2012 vehicles through Mid-America Council of Public Purchasing (MACPP). Initially we looked at a full size sedan (Impala) in the amount of \$18,134 from the low bidder Robert Chevrolet. Craig Weinaug has authorized Youth Services to purchase a hybrid sedan with the cost difference paid from the Sustainability and Energy-Savings Reinvestment Fund. This fund was created in 2011 to fund projects that reduce energy consumption in County buildings and vehicles. The Ford Fusion is the hybrid sedan awarded to Shawnee Mission Ford. Below identifies their cost and options:

2012 Ford Fusion Base Cost	\$25,600.00
Rubber Vinyl Floor Mats	\$ 75.00
3 Identical Keys (all in one)	\$ 130.00
Service Manual	<u>\$ 200.00</u>
TOTAL COST	\$26,005.00

Using the Department of Energy fuel economy calculators I compared the hybrid vehicle model with their conventional counterparts. The calculations were based on 45% highway driving, 55% city driving, 15,000 miles per year, and current fuel cost. Results were as follows:

	MPG City	MPG Hwy	Annual Fuel Cost	Annual CO2 emissions
Impala	18	30	\$2,600	6.7 tons
Fusion (hybrid)	41	36	\$1,450	3.8 tons

Cost Difference: \$7,871 • Annual Fuel Savings from Hybrid: \$1,150 • Return on Investment: 6.8 yrs.

Pam Weigand and I will be available at the commission meeting to answer any questions you may have.

RECOMMENDATION: The Board of County Commissioners approves the purchase of a Ford Fusion Hybrid with Shawnee Mission Ford in the amount of \$26,005 for Youth Services. The JJA Grant will contribute \$18,134 toward this purchase with the remaining balance of \$7,871 to be paid by the Sustainability and Energy Reinvestment Fund.

MEMO TO: The Board of County Commissioner
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing

SUBJECT: Consider Acquisition of a Motor Grader for Public Works

DATE: May 10, 2012

Public Works has funds allocated in equipment reserve to replace a 1999 Champion Motor Grader with 7500 hours. This equipment is used for a variety of applications; routine maintenance of gravel roads, plowing gravel roads during snow storms, and the "V" plow can be used during heavy snows to open up roadways with heavy drifting problems or snow accumulations. We added a Walk 'n' Roll Packer that would be used to compact newly placed gravel on roadways.

The existing equipment transmission has failed and has had numerous problems over the past several years. Estimated repairs would be in excess of \$30,000 for the equipment to be operational again.

John Deere and Caterpillar models met our specifications and are available on cooperative contracts. John Deere is available on both the State of Nebraska (Kansas did not have a term contract for us to access) and HGAC (Houston-Galveston Area Council), and the Caterpillar is on the NJPA (National Joint Powers Alliance). While all contracts were competitively bid the attached table identifies the following cost:

- Base Bid: our specifications that fall under the contract
- Optional Equipment: additional requirements and/or components not under the contract
- Walk n' Roll Packer: equipment that must be equipped to work with their motor grader but not under the contact.
- Extended Warranty: warranties varied between the contracts and this is the cost to provide a full warranty for 7 years/7500 hours.

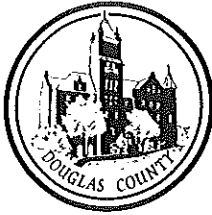
Our purchasing policy allows for the Board of County Commissioners to approve purchases over \$20,000 by accessing State or cooperative contracts. However, the Board would need to waive the bidding process for expenses that do not fall under the contract.

After reviewing the options with Doug Stephens, he is interested in accessing the State of Nebraska's contract and considers their buy-back at the end of the warranty. By accepting the buy-back our annual investment for seven years would be \$18,085 compared to \$25,960 which is based on a 10-year life expectancy (does not include anticipated maintenance cost). Both costs reflect keeping the Walk 'n' Roll. Doug Stephens and I will be available at the meeting to answer any questions you may have.

RECOMMENDATION: The Board of County Commissioners waives our formal bidding process and authorizes staff to access the State of Nebraska contract with Murphy Tractor for a motor grader in the amount of \$191,960 with the buy-back provision, and accept the amount of 67,635.07 not under contract; total cost of \$259,595.07.

Cost Comparison of Cooperative Contracts

CONTRACT	AUTHORIZED DEALER	MAKE/MODEL	BASE PRICE	OPTIONAL EQUIPMENT	WALK N' ROLL PACKER	EXTENDED WARRANTY 7 YRS/7500 HRS	TOTAL COST	BUY-BACK 7 YRS/7500 HRS
HGAC	Murphy Tractor	John Deere 770G	\$317,234.77	\$5,444.13	\$30,425.00	\$14,712.00	\$322,678.90	NA
State of Nebraska	Murphy Tractor	John Deere 770G	\$191,960.00	\$25,776.07	\$30,525.00	\$11,334.00	\$259,595.07	\$133,000.00
NJPA	Foley Equipment	Caterpillar 12M2	\$210,389.60	\$10,975.00	\$30,980.00	\$18,729.40	\$271,074.00	\$130,000.00



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
Michael D. Kelly, L.S., County Surveyor *M*

DATE : May 11, 2012

RE : Drainage Structure Replacement; Bridge No. 11.00N – 12.40E
Acquisition of Easement; Consent agenda

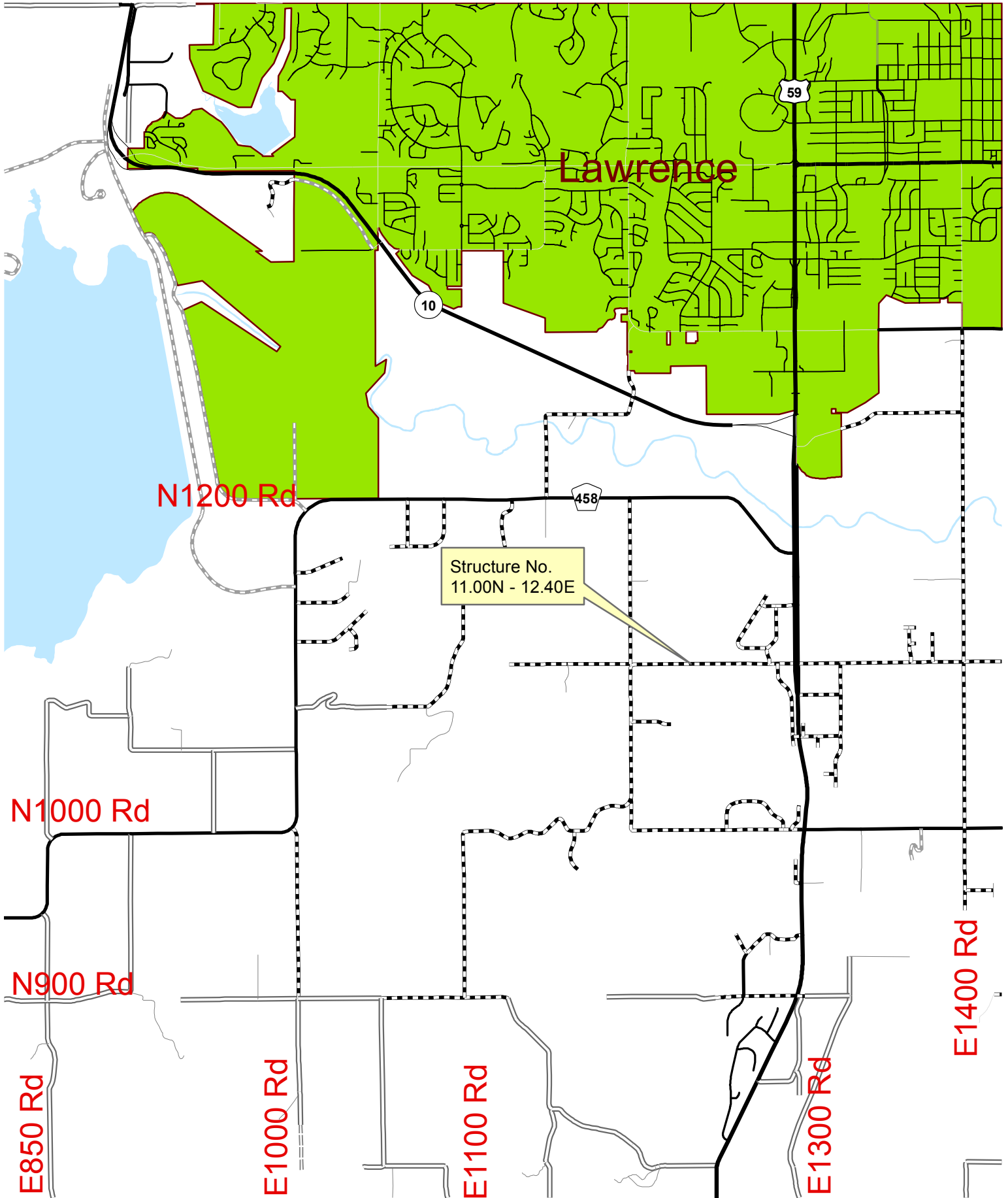
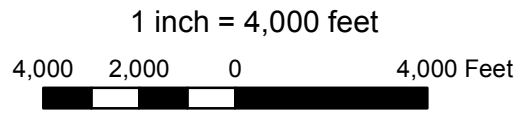
A project has been designed to replace a deficient drainage structure located approximately 1 mile south of Lawrence on N1100 Road. Plans were developed in-house and negotiations with the pertinent landowners for permanent easement have been completed.

Construction is planned for June 2012 and will be accomplished primarily using county personnel.

To ensure the proper completion of a necessary construction project approval is recommended for the attached CONTRACT's FOR HIGHWAY PURPOSES.

ACTION REQUIRED: Consent agenda approval of the CONTRACT's FOR HIGHWAY PURPOSES for Drainage Structure No. 11.00N – 12.40E.

Structure No. 11.00N - 12.40E



NOTE: REMOVE ONLY TREES WITHIN CONSTRUCTION LIMITS THAT INTERFERE WITH CONSTRUCTION. ALL OTHERS REMAIN UNLESS APPROVED BY ENGINEER.

BRYAN L. WELCH
CAROLYN A. WELCH

PATRICK J. KENNEDY
PATRICIA A. KENNEDY

STA. 18+69.58 - PROP. C/L N 1100 RD.
STA. 18+69.58, SL 32.20' LT.
BM # 1 = 60'D NAIL NEXT TO LEATH
N. 217758.86
E. 2088792.46
ELEV. = 841.73



NORTH
SCALE: 1" = 20' HORZ.
1" = 5' VERT.

Douglas County Public Works
1242 Massachusetts
Lawrence, Kansas 66044

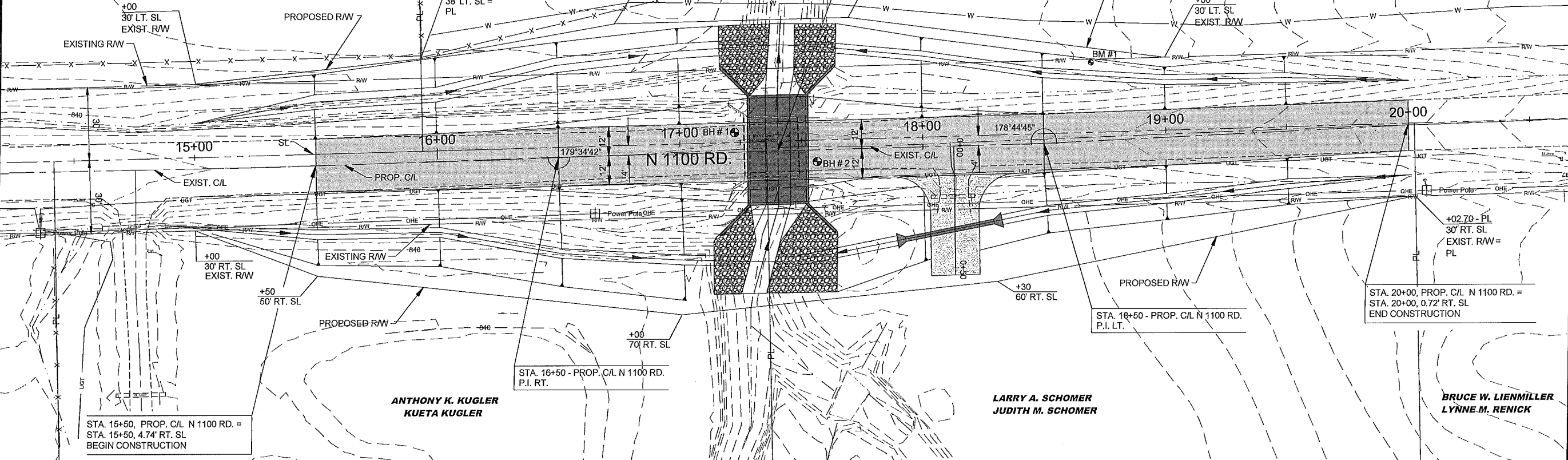


Project: ROAD RECONSTRUCTION AND STORM DRAINAGE
Project No.: 2020010
Designed By: A.S.
Checked By: T.A.
Drawn By: L.K.
Date: 08/2020

PROPOSED RW AND BORING LOGS
SHEET 3 OF 10

ROAD AND DRAINAGE IMPROVEMENTS FOR N 1100 RD.

"CAUTION"
LOCATE ALL UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION.



STA. 15+50, PROP. C/L N 1100 RD. = STA. 15+50, 4.74' RT. SL BEGIN CONSTRUCTION

STA. 16+50 - PROP. C/L N 1100 RD. P.I. RT.

STA. 18+50 - PROP. C/L N 1100 RD. P.I. LT.

STA. 20+00, PROP. C/L N 1100 RD. = STA. 20+00, 0.72' RT. SL END CONSTRUCTION

ANTHONY K. KUGLER
KUETA KUGLER

LARRY A. SCHOMER
JUDITH M. SCHOMER

BRUCE W. LIENMILLER
LYNNE M. RENICK

OTIS L. HEINE
RETA L. HEINE

LOG OF BORING NO. B-1 Page 1 of 1

CLIENT Douglas County Public Works		PROJECT Bridge Replacement		
SITE North 1100 Road, West of 89 Highway Lawrence, KS		TESTS		
DEPTH, ft.	USCS SYMBOL	SAMPLES		TESTS
		NUMBER	TYPE	
0.00	PA	1	ST 7	12 118
0.65	PA	2	ST 12	16 100
9.0	CH	3	ST 24	22 98 4000*
10.0	PA			
16.0	CH	4	ST 11	24 104 8000*
18.0	PA			
22.0	SS	5	SS 18	87 12
23.0	PA	6	SS 6	50/6 7
BOTTOM OF BORING				
***Classification estimated from disturbed samples. Core samples and petrographic analysis may reveal other rock types.				
WATER LEVEL OBSERVATIONS, ft.		BORING STARTED 9-1-11		
WL NONE WD NONE AB		BORING COMPLETED 9-1-11		
RIG CME 65/000 FOREMAN KK		APPROVED ENK JOB # 02115157		

LOG OF BORING NO. B-2 Page 1 of 1

CLIENT Douglas County Public Works		PROJECT Bridge Replacement		
SITE North 1100 Road, West of 89 Highway Lawrence, KS		TESTS		
DEPTH, ft.	USCS SYMBOL	SAMPLES		TESTS
		NUMBER	TYPE	
0.00	PA	1	ST 10	18 90
2.0	PA	2	ST 9	19 89
8.0	CH	3	ST 22	21 98 6500*
10.0	PA			
15.0	CH	4	ST 17	28 100 8500*
18.0	PA			
22.0	SS	5	SS 18	73 12
24.0	PA	6	SS 6	50/6 6
BOTTOM OF BORING				
***Classification estimated from disturbed samples. Core samples and petrographic analysis may reveal other rock types.				
WATER LEVEL OBSERVATIONS, ft.		BORING STARTED 9-1-11		
WL NONE WD NONE AB		BORING COMPLETED 9-1-11		
RIG CME65/000 FOREMAN KK		APPROVED ENK JOB # 02115157		

STA. -3+32.48 - SL
NW CORNER SEC. 26-T13-R19
CODE N17R
N 21762.068
E 2086591.90
ELEV= 871.164

REFERENCE TIES
DCPW CAP INSIDE MONUMENT BOX- MARKED "WATER"
1. NE CORNER OF WEST END SOUTH HUBGUARD 27.75' SSW
2. SW CORNER OF WEST END NORTH HUBGUARD 27.15' NNE
3. SPIKE AND WASHER IN POWER POLE (SW FACE) 32.2' NE

STA. 23+32.48 - SL
N¼ COR SEC. 26-T13-R19
CODE N19R
N 217742.336
E 2089255.937
ELEV= 854.354

REFERENCE TIES
½" BAR (0.2' deep)
1. 2624.66' LT US-59 BL Sta. 1203.37 NW=89.2819
2. SPIKE & WASHER TOP FENCE POST 52.3' NE
3. SPIKE & WASHER IN POWER POLE 28.3' S
4. SPIKE & WASHER SIDE OF CORNER FENCE POST 31.5' N
5. SPIKE & KDOT WASHER TOP CORNER FENCE POST 32.2' N
6. IN LINE WITH FENCE TO NORTH



April 26, 2012

Lawrence City Commissioners
Six E. Sixth Street
Lawrence KS 66044

Douglas County Commissioners
1100 Massachusetts Street
Lawrence KS 66044

Re: Proposed Structure for the Lawrence/Douglas County/Chamber
Commerce Partnership

Dear Commmissioners:

Growing the tax base in Lawrence and Douglas County is critical to its ability to provide the services its residents expect. Competition between communities in this arena is intense. Our ability to successfully create new jobs in this environment requires collaboration, cooperation and an ability to respond rapidly to seize opportunities that benefit our community.

The Lawrence Chamber of Commerce is asking the City and County to join with us to build an organization that better positions Lawrence and Douglas County to succeed in the increasingly challenging field of job creation, business recruitment and business retention.

The objective in establishing this partnership is to create an organization that enhances the relationship between the business community, the City and County and which can respond rapidly to emerging business opportunities. The partnership will establish policies to support thoughtful, positive growth within our community and create jobs for its residents.

We believe this new partnership will benefit our community in many ways:

- Attracting new businesses to Lawrence and Douglas County
- Encouraging existing businesses to grow in the community
- Creating new jobs for residents
- Creating new jobs for our graduates
- Enhancing the tax base to fund necessary City and County services that benefit all Douglas County residents

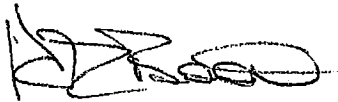
This partnership will include a Joint Economic Development Council (JEDC) and an Executive Committee. The Executive Committee will consist of the Lawrence City Manager, the Douglas County Administrator and the CEO of the Lawrence Chamber of Commerce.

The JEDC will be comprised of the Executive Committee, and representatives from the Lawrence City Commission; the Douglas County Commission; the University of Kansas; the Bioscience & Technology Business Center; and three local businesses. In addition, the City Administrators of Baldwin and Eudora will be invited to serve as ex-officio members of the JEDC. See the attached chart for a detailed look at the organizational structure and reporting relationships.

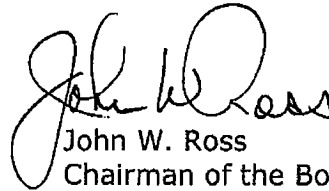
We believe this new structure will strengthen our public and private job growth partnerships and allow the communities to more effectively recruit new businesses that create quality jobs for the residents of Lawrence and Douglas County.

On behalf of the Lawrence Chamber of Commerce, we encourage your support of the proposed structure. Once this partnership is approved by the City and County Commissions, we will jointly determine our business model, develop our bylaws and identify a name for the new organization that reflects our commitment to job creation and the long-term economic wellbeing of our community. We look forward to working with you to attract and grow new jobs in Lawrence and throughout Douglas County.

Sincerely,



Hank Booth
Interim President/CEO
Lawrence Chamber of Commerce



John W. Ross
Chairman of the Board
Lawrence Chamber of Commerce

Proposed Reorganization of Economic Development Partnership

Joint Economic Development Council Responsibilities

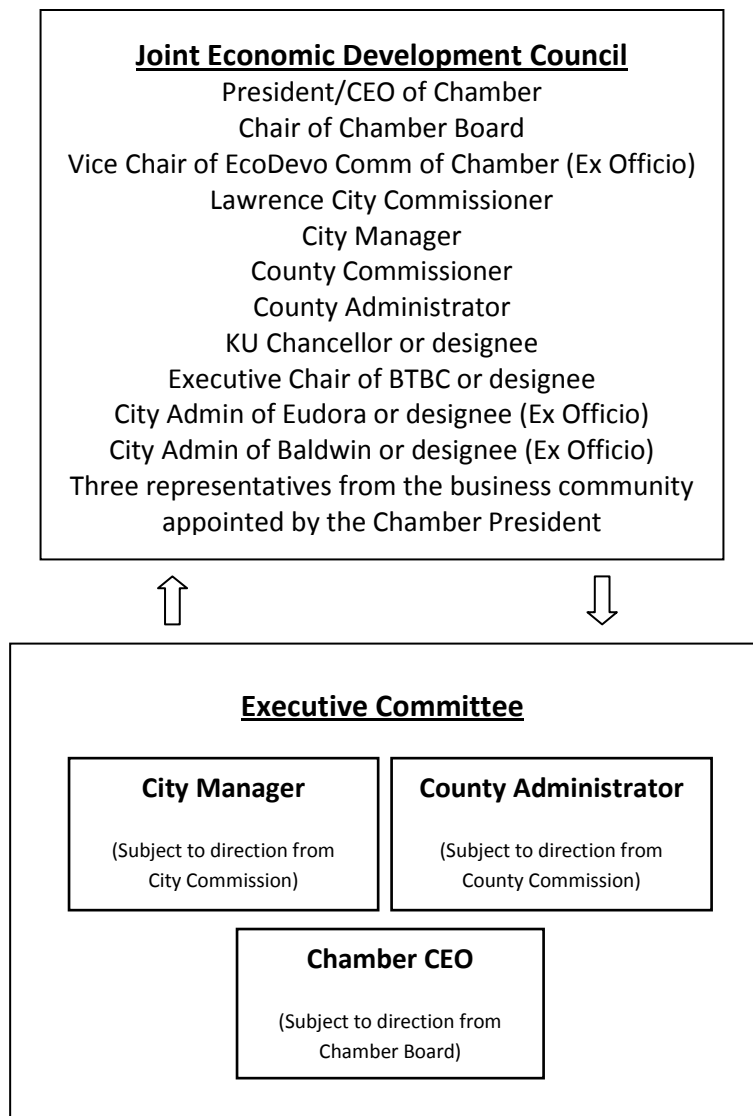
1. Supervision of budget, including approval of budget requests to Chamber Board, City Commission and County Commission.
2. Recommend policies for economic development initiatives.

Executive Committee Responsibilities

1. Day-to-day decisions related to economic development initiatives.
2. Chamber CEO consults with executive committee when making personnel decisions affecting economic development personnel.

Other Notes:

1. Chamber President involved primarily in economic development and is no longer the public advocate for business issues. Chamber President hires and supervises a COO of Chamber to handle traditional chamber services, functions and advocacy.
2. City Manager and County Administrator become part of the selection panel for Chamber President.





ADMINISTRATIVE DETERMINATION & CERTIFICATION

FINAL PLAT

Sadies Lake Addition

April 27, 2012

PF-1-1-12: Final Plat for Sadies Lake Addition, a one lot subdivision of approximately 205.223 acres, located at 778 E 1300 Road. Submitted by Grob Engineering Services, for Sadies Lake LC, property owner of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Final Plat based upon the certification in the body of this report and subject to the following conditions:

- 1) Provision of a revised final plat with the following changes:
 - a) General Note 4 revised as follows:
"Pursuant to Subdivision Design Standards Section 20-810(k) regarding Protection Standards for Environmentally Sensitive Lands – Unincorporated Area of the County, the Owner has elected to provide provisions to protect environmentally sensitive lands with a Temporary Set-aside Agreement (TSA) which has been filed with the Douglas County Register of Deeds, Book _____, Page _____."
 - b) The areas marked on the plan as 'protected by the Temporary Set-aside Agreement' should include the wording "Details of the protected area provided in exhibit provided with Temporary Set-aside Agreement."
- 2) Provision of a Temporary Set-aside Agreement for Board of County Commissioner's approval.

ADDITIONAL ACTION REQUIRED

- Governing Body approval of Temporary Set-aside Agreement.
- Governing Body acceptance of right-of-way being dedicated with this plat. (Figure 1)

KEY POINTS

- A rezoning to the RT (Rural Tourism Business) District [Z-3-9-11] was approved by the County Commission on August 3, 2011. The publication of the rezoning resolution was deferred until the property was platted. This was necessary as a homestead exemption survey was being processed to remove residential property from the property being rezoned.

SUBDIVISION CITATIONS TO CONSIDER

This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007. (Amended January 10, 2012)

- A parcel was removed through the Homestead Survey Exemption as permitted in Section 20-801(d)(2)(ix). Per this section the remaining parcel is not eligible for a building permit until subdivided in accordance with the Subdivision Regulations.
- Section 20-810(4)(i) contains the right-of-way requirements for roads in the unincorporated portion of the County. Additional right-of-way is being dedicated with this plat by separate instrument.

ASSOCIATED CASES

- PP-8-8-11: Sadies Lake Addition Preliminary Plat, was approved by the Planning Commission on November 14, 2011. Dedications of easements were accepted by the Board of County Commissioners on November 30, 2011.
- Z-3-9-11 from the A (Agricultural) District to the RT (Rural Tourism Business) District was approved by the Board of County Commissioners on August 3, 2011 subject to the following condition:
Property owners within 1000 ft of the Rural Tourism Zoning District shall be notified when either of the following occur:

- a. Submittal of any site plans
- b. Submittal of any development proposal which must be considered by the County Commission.

The publication of the rezoning resolution was deferred until the completion of the homestead exemption survey so an accurate legal description could be provided following the division of the existing residence through the homestead exemption survey.

- Provision of a Temporary Set-aside Agreement for protection of Environmentally Sensitive Lands for County Commission approval. If necessary, the plat will be revised to reflect the protected area within the agreement.
- Provision of certification that all taxes and special assessments due and payable have been paid.
- Adoption of rezoning resolution by the Board of County Commissioners and publication in county newspaper.
- Submittal of one paper copy of the revised plat for the file and one mylar copy which is notarized for and signed by the owners, engineer, surveyor and County Surveyor to be recorded at the Douglas County Register of Deeds.
- Provision of recording fees, made payable to the Douglas County Register of Deeds. (\$20 for the mylar; \$8 for the first page of any document and \$4 for any subsequent pages.)

PLANNING DIRECTOR CERTIFICATION (Section 20-809(m))

The final plat conforms to the content requirements of Section 20-809(l) of the Subdivision Regulations and is consistent with the Preliminary Plat (PP-8-8-11) approved by the Planning Commission on November 14, 2011.

The Planning Director hereby approves the final plat and certifies that the final plat:

a) Conforms to the Preliminary Plat previously approved by the Planning Commission.

The final plat conforms to the preliminary plat approved by the Planning Commission.

b) Satisfies any conditions of approval imposed by the Planning Commission.

The Planning Commission approved the preliminary plat on November 14, 2011. There were no conditions of approval imposed on the preliminary plat.

c) Includes the same dedications accepted by the Governing Body, subject to only minor technical adjustments.

The final plat includes the same dedication accepted by the County Commission on November 30, 2011.

d) Satisfies any conditions of acceptance of dedications imposed by the Governing Body.

No conditions of acceptance of dedications were imposed by the County Commission.

e) Represents a plat for which all required public improvements have been completed or for which adequate guarantee of improvements has been provided.

The property is accessed by E 1300 Road which is a recently constructed access road for the realigned Highway 59. The property is served by Rural Water District No. 2. An easement for the extension of a waterline is located on the west side of the property. The rural water district indicated that adequate capacity is available; however, the applicant may be responsible for a portion of the costs for improvements to the infrastructure to serve the property as it further develops. This was noted on the face of the preliminary plat. The Willow Springs Township Fire Chief approved the fire

protection measures noted on the plat. The Health Department indicated that adequate space was provided for the location of septic systems or other on-site waste management system, and that a permit would need to be obtained from the Health Department prior to the installation of any system.

f) Is otherwise consistent with the requirements of the Subdivision Regulations for a final plat.

The final plat is consistent with the requirements of the subdivision regulations.

STAFF REVIEW

The subject property is located within an agricultural area with scattered rural residences. The property contains significant resources in the form of high quality agricultural soils, woodlands, native grassland, and floodplain. The property owner will provide a Temporary Set-aside Agreement for the protection of these natural resources as required in Section 20-810(k)(4). The plat notes that the Temporary Set-aside Agreement will protect the floodplain; however, as the County Commission approves the temporary set aside agreement, General Note 4 should be revised to remove the reference to the features which will be protected in the agreement. The agreement will be recorded and the Book and Page noted on the face of the plat. The plat may show the areas that are included in the agreement but should reference the exhibit with the Temporary Set-aside Agreement for details.

A rezoning to the RT (Rural-Tourism Business) District was recently approved to accommodate the proposed Rural Tourism use. The development of cabins, lodges, or other features will require approval through site planning.

The subject property is being platted so that a building permit may be obtained for development of a Rural Tourism Use. A parcel with an existing residence was removed from the property through the Homestead Survey Exemption. Per Section 20-801(d)(2)(ix) of the Subdivision Regulations, when a parcel is removed through this exemption the remainder of the property must be subdivided in accordance with the Subdivision Regulations in order to be eligible for a building permit. The only subdivision option available for property in the RT District is platting.

The plat, as conditioned, meets the approval criteria listed in Section 20-809(m) of the Subdivision Regulations and is approved.

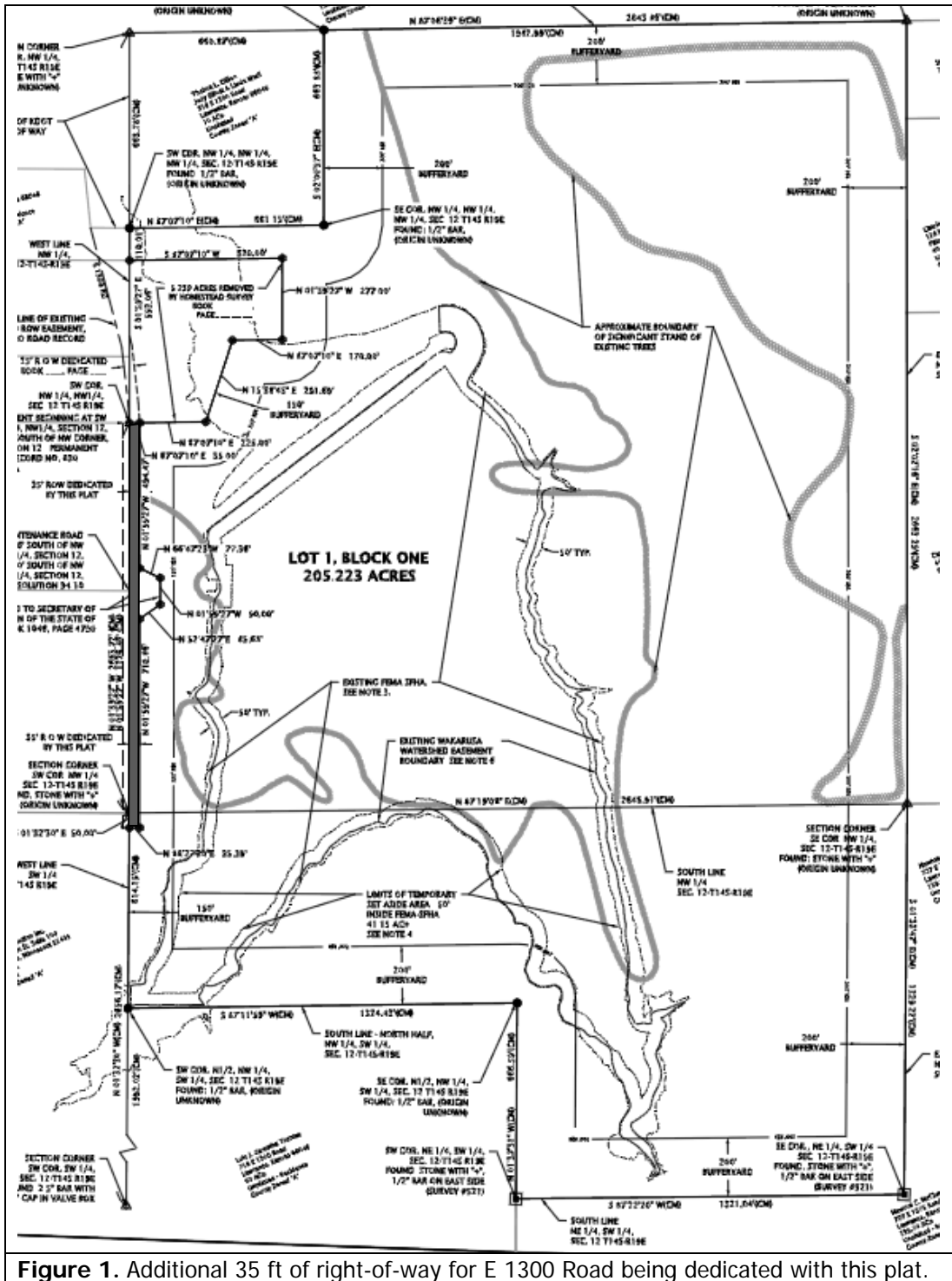
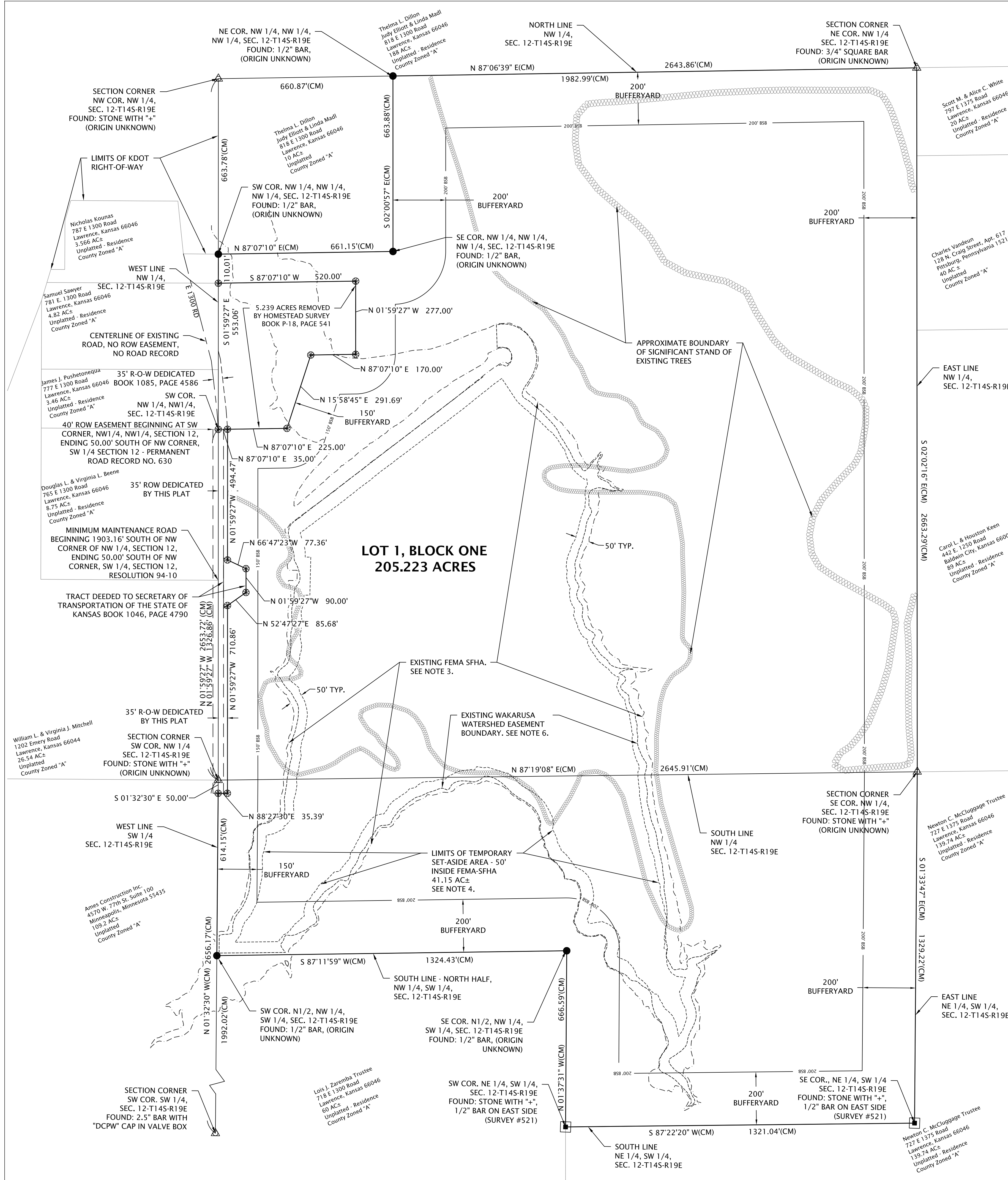


Figure 1. Additional 35 ft of right-of-way for E 1300 Road being dedicated with this plat.



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 14 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, NOW DESCRIBED AS FOLLOWS:

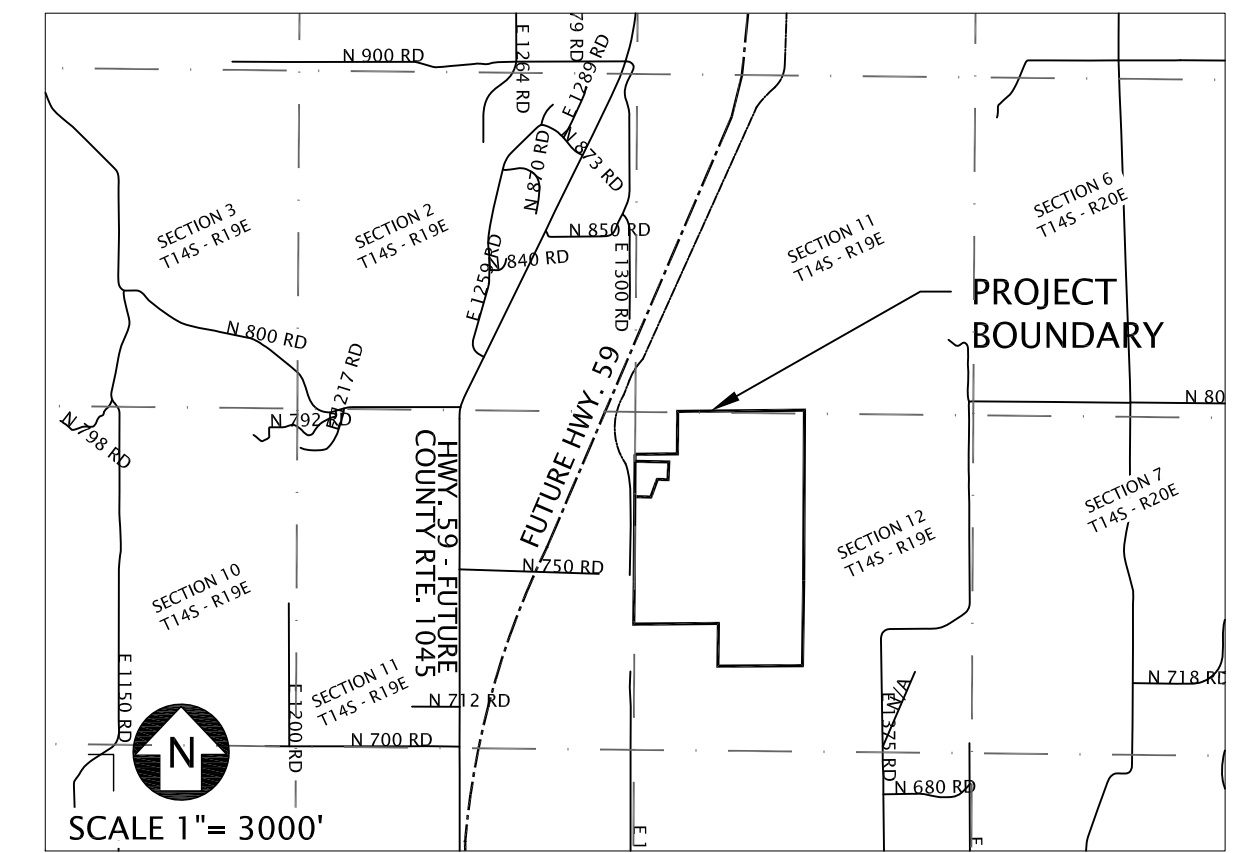
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER SECTION; THENCE SOUTH 02° 02' 16\"/>

THE ABOVE CONTAINS 206.267 ACRES, MORE OR LESS, ALL IN DOUGLAS COUNTY, KANSAS.

GENERAL NOTES

- Basis for bearings for this plat is the West Section line of the Southwest Quarter of the Northwest Quarter of Section 12, Township 14 South, Range 19 East, N 01° 32' 30\"/>

LOCATION MAP



LEGEND

— OHE	— OHE	— OVERHEAD ELECTRICAL	⊕	STORM DRAIN	— ROW	RIGHT-OF-WAY
— UCT	— UCT	— UNDERGROUND TELEPHONE	⊙	GUY ANCHOR	— C/L	CENTERLINE
— GAS	— GAS	— GAS	⊙	UTILITY POLE	— D/E	DRAINAGE EASEMENT
— W	— W	— WATERLINE	⊙	WATER METER	— U/E	UTILITY EASEMENT
— SAN	— SAN	— SANITARY SEWER LINE	⊙	WATER VALVE	(D)	DEEDED
— STM	— STM	— STORMWATER LINE	⊙	GAS METER	(M)	MEASURED
—	—	— SECTION LINE	⊙	SIGN	(CM)	CALCULATED FROM MEASUREMENTS
—	—	— CENTER LINE	⊙	ELECTRIC BOX	⊙	SECTION CORNER
—	—	— PROPERTY LINE	⊙	CABLE TV BOX	⊙	FOUND BAR ORIGIN UNKNOWN
—	—	— EASEMENTS	⊙		⊙	2\"/>
—	—	— DRAINAGE COURSE	⊙		⊙	2\"/>
—	—	— BUFFERYARD SETBACK	⊙		⊙	2\"/>
—	—	— TREELINE	⊙		⊙	2\"/>

REFERENCED DOCUMENTS

- DCPW Survey #521 by E.E. Trueblood, January 1933
- DCPW Survey # 5153 by Walter P. Ward, PLS 606, May 1992
- DCPW Survey # 7799 by Ronald J. Shanks, PLS 1255, May 2008
- DCPW Survey #5712 by Fred G. Rogers, PLS 64, September 1996
- R.O.D. Book 1042 Page 3565 by Fred G. Rogers, PLS 64, November 2008

DEDICATION

Be it known to all men that I, the undersigned owner of the above described tract of land, have had cause for the same to be surveyed and platted under the name of "SADIES LAKE ADDITION" and have caused the same to be subdivided into lots and streets as shown and fully defined on this plat. All streets, drives, roads, etc. shown on this plat and not heretofore dedicated to public use are hereby so dedicated.

Michael Treanor, Member
Sadies Lake, LC

ACKNOWLEDGEMENT

State of Kansas
County of Douglas

Be it remembered that on this _____ day of _____, 2012, before me, the undersigned, a notary public, in and for said county and state, came Michael Treanor, Member, Sadies Lake LC, who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my seal on the day and year last written above.

Notary Public _____ My commission expires _____

ENDORSEMENTS

Associated Preliminary Plat Approved by the Lawrence-Douglas County Metropolitan Planning Commission, Douglas County, Kansas	Rights-of-Way and Easements Accepted by Board of County Commissioners Douglas County, Kansas
Richard Hird Chairman	Date _____ Jim Flory Chairman
Jamie Shew County Clerk	Date _____ Reviewed In Compliance With K.S.A. 58-2005.
Approved as a Final Plat Under the Subdivision Regulations of Lawrence and Unincorporated Areas of Douglas County.	Michael D. Kelly, P.L.S. #869 Douglas County Surveyor
Scott McCullough Lawrence-Douglas County Planning Director	Date _____

FILING RECORD

State of Kansas
County of Douglas

This is to certify that this instrument was filed for record in the office of the Douglas County Register of Deeds on this _____ day of _____, 2012, and is duly recorded at _____ AM/PM, in plat book _____ page _____.

Register of Deeds
Kay Pesnell

SURVEYOR'S CERTIFICATION

I hereby certify that the platted area shown hereon is the true and accurate result of a field survey performed under my direct supervision in January, 2012, and that the plat is a closed traverse. This survey conforms to the Kansas Minimum Standards for Boundary Surveys.

Steven D. Williams, P.L.S. #1391
P.O. Box 4444
Lawrence, KS 66046
(785)832-2121

ENGINEER'S CERTIFICATION

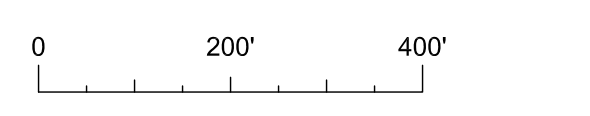
I hereby certify that the information and area map shown hereon are true and accurate to the best of my knowledge. Plat prepared January, 2012.

John Dean Grob
Professional Engineer #12769
P.O. Box 502
Lawrence, KS 66044
(785)856-1900

a final plat of SADIES LAKE ADDITION

a tract of land in the NW1/4 and SW1/4 of Section 12, Township 14 South, Range 19 East, in Lawrence, Douglas County Kansas

SCALE: 1" = 200'



MEMO

To: Douglas County Commission

From: Teri Smith

Date: April 30, 2012

Re: Burn Ban Resolution

The Commission is being asked to consider the following:

Adopt a new Resolution Implementing Open Burning Regulations in the unincorporated areas of Douglas County.

The current process of enacting a burn ban requires

1. Notification and consensus from Fire Chiefs
2. Resolution brought before commissioners for approval and adoption for seven days
3. Information communicated to all appropriate parties
4. Additional requests to terminate or extend resolution

At the request of commissioners, Douglas County Emergency Management, Fire Chiefs and legal have developed regulations to promote fire safety and to protect persons and property from the dangers of open burning by implementing limited restrictions and requirements on open burning. This resolution will streamline the implementation of a burn ban and reduce confusion for the citizens of Douglas County by setting out a comprehensive regulatory process regarding open burning in the unincorporated areas. These include:

- Persons conducting open burning shall notify the jurisdictional fire department and Douglas County Emergency Communications.
- Open burning will only take place during a Low, Moderate or High Rangeland Fire Index Range, when wind speed is not greater than 20mph.
- There will be no burns in the Very High or Extreme categories of the Rangeland Fire Index.

HOME RULE RESOLUTION NO. HR- _____

A HOME RULE RESOLUTION IMPLEMENTING OPEN BURNING REGULATIONS FOR THE UNINCORPORATED AREAS OF DOUGLAS COUNTY, KANSAS

WHEREAS, K.S.A. 19-101a, *et seq.*, and amendments thereto, authorize the Board of County Commissioners of Douglas County, Kansas (hereinafter the "Board") to transact all county business and perform all powers of local legislation and administration it deems appropriate, including the enactment of legislation designed to protect the health, safety, welfare, and quality of life of the citizens of Douglas County; and

WHEREAS, it has been determined by the Board that there is a need to set out a comprehensive regulatory practice regarding open burning in the unincorporated areas of Douglas County, Kansas; and

WHEREAS, Kansas Administrative Regulations (hereinafter "K.A.R.") 28-19-645, prohibits the burning of any wastes, structures, vegetation, or any other materials on any premises, except as authorized by K.A.R. 28-19-647 and K.A.R. 28-19-648; and

WHEREAS, the Board has determined it is necessary and advisable to promote fire safety and to protect persons and property from the dangers of open burning by implementing limited restrictions and requirements on open burning.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, SITTING IN REGULAR SESSION THIS ____ DAY OF _____, 2012 AND INTENDING TO EXERCISE OF THE POWERS OF HOME RULE LEGISLATION PURSUANT TO K.S.A. 19-101a, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Adoption of Regulations on Open Burning. The following is adopted as part of Chapter 6 (Fire Safety), Article 1 (Outdoor Burning) of the Douglas County Code:

CHAPTER 6. FIRE SAFETY

ARTICLE 1 OUTDOOR BURNING

6-101. OPEN BURNING DEFINED. No person shall conduct any open burning in the unincorporated areas of Douglas County except as allowed by K.A.R. 28-19-645 and this Article. Allowed open burning includes:

- (a) Agricultural open burning (K.A.R. 28-19-648). The open burning of vegetation such as grass, woody species, crop residue, and other dry plant growth for the purpose of crop, range, pasture, wildlife or watershed management; and
- (b) Residential open burning (K.A.R. 28-19-647(a)(1)). Open burning at a residential premise containing five or less dwelling units and incidental to the normal habitation of the units; and

- (c) Ceremonial and cooking open burning (K.A.R. 28-19-647(a)(2)). Open burning for cooking or ceremonial purposes on public or private land regularly used for recreational purposes. A ceremonial and cooking open burning fire shall not exceed five feet in diameter at its base. Ceremonial and cooking open burning fires that exceed this limitation require a permit from the Kansas Department of Health and Environment (KDHE) pursuant to K.A.R. 28-19-647(a)(4); and
- (d) Specifically approved open burning. (K.A.R. 28-19-647(a)(4)). Open burning approved by the Kansas Department of Health and Environment (KDHE) pursuant to K.A.R. 28-19-647(a)(4).

6-102. AGRICULTURAL OPEN BURNING.

- (a) Notice required. Persons conducting agricultural open burning, as described in 6-101(a), shall notify the jurisdictional fire department (determined by location of the burn) and the Douglas County Emergency Communication Center of such intention to burn prior to the burn and provide the following information and agree to the stated conditions:
 1. Location of the intended burn and the name, address, and telephone number of the person responsible for the open burning.
 2. Duration and schedule of the burning.
 3. Description of the proposed open burning.
 4. Agree to notify the jurisdictional fire department and Douglas County Emergency Communication Center when the fire is extinguished.

While a jurisdictional fire department or a county agency or department may receive notice of the burn and provide advice regarding the open burning, those agencies, departments and employees are only providing advice and do not assume any risk, create any duties or provide any guarantees as to the burn or the surrounding conditions.

- (b) Regulations. Persons conducting agricultural open burning as described in 6-101(a) shall comply with the following regulations:
 1. A person shall not conduct an agricultural open burn that creates a traffic safety hazard. If conditions exist that may result in smoke blowing toward a public roadway, the person conducting the burn shall give adequate notification to the Highway Patrol, Sheriff's Office, or other appropriate state or local traffic control authorities before burning.
 2. A person shall not conduct an agricultural open burn that creates an airport safety hazard. If smoke may affect visibility at an airport, the person conducting the burn shall give adequate notification to the appropriate airport authorities before burning.
 3. The person conducting the burn shall ensure that the burning is supervised until the fire is extinguished.

6-103. OPEN BURNING PROHIBITED UNDER CERTAIN CONDITIONS.

- (a) Open burning will only take place during a Low, Moderate, or High Rangeland Fire Index Range, when wind speed is not greater than 20mph. There are to be no burns in the Very High or Extreme categories of the Rangeland Fire Index.
- (b) Open burning is prohibited on those days when a local or state governmental entity has imposed a county-wide or state-wide burning ban that includes the proposed burn location as set forth in 6-104 and 6-105.

6-104. DECLARATION OF EMERGENCY.

- (a) As provided in K.S.A. 48-932, the Chairman of the Board may declare that due to low moisture conditions that an emergency exists and that the outdoor burning restrictions contained in section 6-105 shall take effect and be in force for periods not in excess of seven days at a time. Such restrictions shall take effect and be in force 24 hours after the filing thereof with the Douglas County Clerk.
- (b) As an alternative to the procedure contained in paragraph (a) of this section, a majority of the Board may declare by ordinary motion that due to low moisture conditions that an emergency exists and that the outdoor burning restrictions contained in this article shall be in force for such time period as determined appropriate by the Board. Such restrictions shall take effect and be in force 24 hours after the filing thereof with the Douglas County Clerk.

6-105. OUTDOOR BURNING RESTRICTIONS DURING EMERGENCY. Except as provided in section 6-106, during an emergency declared in accordance with section 6-104, the following activities shall be prohibited in the outdoors:

- (a) The careless use and disposal of smoking materials, including, but not limited to, cigarettes, cigars and pipes. All smoldering remains shall be discarded in inflammable containers and in a manner to reduce the potential for fires.
- (b) Building, maintaining, attending or using any open fire or campfire, except in permanent stoves or fireplaces or in barbecue grills in developed recreational sites or on residential home sites.
- (c) Burning of all fence rows, fields, wild lands, ravines, trash, debris or other areas or materials. Such burning may be exempted from these restrictions when it is necessary for crop survival and has been specifically approved in writing by both the Douglas County Sheriff's Office and, except in Marion Township, the township fire chief of the township in which the burning is to take place. Crop survival means the burning of stubble in preparation for the planting of a crop.

6-106. EXEMPTIONS.

- (a) An exemption from the restrictions under section 6-105 may be granted by the Board upon the filing of an application therefore by the owner or operator of any business in Douglas County that the Board finds meets the following conditions:

1. The burning of trash, debris, or waste that is a byproduct of the operation of the business is a business necessity.
 2. Such burning will be carried out at a location, at such a time, and in a manner that does not pose an unreasonable risk to neighboring property and the public health, safety and welfare.
 3. The business presents evidence of insurance determined by the Board to be adequate to insure against loss of life, other personal injury, or damage to any property occurring on or off the business premises that results either directly or indirectly from such burning operation.
 4. The business is in compliance with all other laws, rules or regulations of Douglas County at the time the permit is granted.
 5. The proposed burn complies with all permit and other requirements of K.A.R. 28-19-647.
- (b) Any exemption granted by the Board in accordance with this Section shall be subject to revocation at any time by a majority vote of the Board if the Board determines that one or more of the findings made in accordance with Subsection (a) of this Section are no longer applicable.
- (c) The Board may impose such conditions upon the approval of an exemption as it deems appropriate under the circumstances.

6-107. PRESUMPTION. In levying a criminal penalty or civil fine for any violation or failure to comply with any provision of this Resolution, it shall be considered *prima facie* evidence that the person owning, occupying, or controlling any property upon which open burning is conducted voluntarily allowed such burning to occur.

6-108. INTERPRETATION AND SEVERABILITY. This Article is supplementary to other provisions or remedies authorized or prescribed by any other applicable law or rule or regulation enacted thereunder. The invalidity of any particular provisions of this Article shall not affect the validity of any other provision. This Article shall be liberally construed to the fullest extent permitted by law to effectuate the broad remedial purposes for which it is intended.

6-108. ENFORCEMENT AND PENALTIES.

- (a) General Violation. Except as provided in Subparagraph (b) below, any person who violates or fails to comply with any provisions of this Article or engages in conduct in violation of this Article shall be guilty of a Class C misdemeanor.
- (b) Violation of a Burn Ban. A person conducting or responsible for an open burn in violation of a county or state-wide burn ban shall be guilty of a Class A misdemeanor.
- (c) Initiation of Criminal Proceedings. In addition to any other method of initiating a criminal proceeding under applicable law, any law enforcement officer or fire official of a governmental entity may initiate a criminal proceeding under this

Article by making an offense report and forwarding a copy to the district attorney for prosecution or by serving a citation and notice to appear in court upon the alleged violator.

SECTION 2. Repeal of Prior Provisions. CHAPTER 6, ARTICLE 1. OUTDOOR BURNING, Sections 6-101, 6-102, 6-103, and 6-104, as existing in the County Code before adoption of this Resolution, are hereby repealed. These sections are renumbered and amended as set forth above.

SECTION 3. Effective Date. This is a Home Rule Resolution and shall take effect and be in force from and after its publication once in the official county newspaper.

PASSED, APPROVED and ADOPTED by the Board of Douglas County Commissioners of Douglas County, Kansas on this _____ day of _____ 2012.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS:

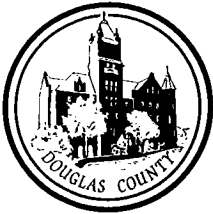
Mike Gaughan, Chair

Nancy Thellman, Member

Jim Flory, Member

ATTEST:

Jameson D. Shew, County Clerk



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*

Date : May 4, 2012

Re : Discuss KDOT removal of climbing lane on existing US-59 at Pleasant Grove prior to turning over the roadway to Douglas County

Upon completion of the US-59 freeway construction project, KDOT will rehabilitate existing US-59 highway prior to transferring ownership to Douglas County. It is anticipated the freeway construction project will be completed late this year, and the work on the existing roadway would occur in 2013. KDOT will soon prepare a "turn back agreement" outlining terms of the ownership transfer, for BOCC consideration.

We have discussed with KDOT the following work items to be completed prior to turning over the roadway to Douglas County:

- Replacement of box bridge immediately south of the N 900 Road intersection
- Replacement of the bridge over West Fork Tauy Creek approximately 730' north of the Douglas/Franklin County line
- Overlay the pavement surface the full length of the corridor (approximately 9 miles)
- Replace the guardrail along the east side of the roadway at Pleasant Grove hill

KDOT asked if we wanted them to remove the southbound climbing lane at Pleasant Grove hill. My opinion is it should be removed, however a 6'-width of asphalt pavement should be retained as a shoulder. My reasoning for wanting the lane removed is purely economic, i.e. future pavement maintenance in this 0.6-mile section will be approximately 50% higher if the lane is left in place (3 lanes vs. 2 lanes). Since the roadway will not be a federal highway, but rather a county minor collector road, it is not felt the climbing lane is required. Removal of the lane will also allow the west ditch to be improved and better maintained.

We estimate removal of half of the 12'-wide climbing lane would cost approximately \$79,000 if done by contract.

Action Required: Discuss and determine whether to ask KDOT to remove the climbing lane on existing US-59 highway prior to turning the roadway over to Douglas County.

MEMORANDUM

To : Board of County Commissioners

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

Date : May 7, 2012

Re : Planned KDOT interchange at Bob Billings Parkway & K-10 Highway

KDOT is developing plans to construct an interchange at Bob Billings Parkway (BBP) & K-10 highway. The state T-Works program is funding a large majority of the project. The currently estimated construction cost is \$17,000,000. KDOT has requested that the City of Lawrence and Douglas County participate in the project in a total amount of \$2,000,000.

The project includes a standard diamond interchange with two through lanes and two left-turn lanes for each travel direction. The project also includes sidewalks and bike lanes on each side of the bridge. BBP will continue over K-10 and tie into N 1500 Road west of K-10. The multiuse path that parallels K-10 on the east will cross under BBP. The existing intersection at N 1500 Road & K-10 will be removed. E 902 Road in the southeast quadrant of that intersection will tie into N 1500 Road, which will be improved easterly to George Williams Way (GWW). E 900 Road, which parallels the west side of K-10 north of N 1500 Road, will end at the southernmost property entrance north of N 1500 Road, and will not intersect BBP.

Kris Norton, KDOT Road Design Leader, will attend the BOCC meeting and provide a brief presentation on the project. The BOCC is not being asked to commit county funds towards the project at this meeting. That decision will presumably be made during budget discussions this summer.

Action Required: Receive a presentation from KDOT on the planned interchange at Bob Billings Parkway & K-10 highway.