

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, DECEMBER 18, 2013

4:00 p.m.

- Present Kansas Association of Counties certificates (Public Works/Sheriff)
- Consider approval of the minutes for December 4, 2013

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
(b) Consider approval of Cereal Malt Beverage License for Clinton Marina, 1329 E 800 Rd (Clerk's Office); and
(c) Consider approval of Cereal Malt Beverage License for Clinton Submarina, 1329 E 800 Rd (Clerk's Office).

REGULAR AGENDA

- (2) Consider recommendations of contracts for banking, merchant, procurement card services (Jackie Waggoner/Representative from the evaluating committee)
- (3) Discuss of issues related to possible Lawrence Historic Designation for the Douglas County Courthouse (Lynn Zollner)
- (4) Consider adoption of resolution amending Chapter XIII Construction Codes, section 13-111.2 Permit Fee Schedule to add a flat fee for "solar, thermal, and photovoltaic (PV) systems...."
Linda Finger
- (5) Consider adopting a Resolution exempting certain County buildings from the provisions of Section 2 of Senate Substitute for House Bill 2052, and consider authorizing the Chair to notify the Kansas Attorney General, the Douglas County Sheriff, and the Lawrence Police Department of the County's exemption.
- (6) Consider adopting a Resolution prohibiting concealed carry in certain County buildings and offices.
- (7) Executive Session to discuss matters relating to county building security measures pursuant to K.S.A. 75-4319(b)(13). The justification is because discussing these matters in open session would jeopardize the safety and security of county buildings and their occupants
- (8) (a) Consider approval of Accounts Payable (if necessary)
(b) Appointments
(c) Public Comment
(d) Miscellaneous
- (9) Adjourn

WEDNESDAY, DECEMBER 25, 2013 (Canceled)

WEDNESDAY, JANUARY 1, 2014 (Canceled)

WEDNESDAY, JANUARY 8, 2014

WEDNESDAY, JANUARY 15, 2014 (Light agenda)

WEDNESDAY, JANUARY 22, 2014

- Review and Approve FY2014 Budget & Summary With Additional Community Corrections Grant Funding Award – Deborah Ferguson

WEDNESDAY, JANUARY 29, 2014

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.

RESOLUTION _____

WHEREAS, on the 18th day of December, 2013, the same being a regular session of the Board of County Commissioners of the County of Douglas, the application of **Clinton Marina** for a cereal malt beverage license came up for considerations by the above board and

WHEREAS, the Board does find that said **Clinton Marina** is qualified under the law to sell cereal malt beverages not for consumption on the premises located **1329 E 800 Rd, Lawrence, Kansas**

WHEREAS, the Board further finds that due and legal notice has been given the Clinton Township Board and that ten days has expired from the giving of said notice and that no written objection has been filed by the Clinton Township Board protesting the granting of a cereal malt beverage license.

NOW THEREFORE, BE IT RESOLVED that the applicant, **Clinton Marina** granted a license to sell cereal malt beverage not for consumption on the premises located at **1329 E 800 Rd, Lawrence, Kansas**

BE IT FURTHER RESOLVED, that Jameson Shew, County Clerk of Douglas County, Kansas be directed to issue said license.

Chairman

Member

Member

ATTEST:

Jameson Shew, Douglas County Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIME

RETAIL

Fee \$75.00

NO.

DEALER'S 2014 LICENSE

TO ALL WHOM IT MAY CONCERN:

License is hereby granted to: **CLINTON MARINA**

**TO SELL CEREAL MALT BEVERAGES AT RETAIL IN ORIGINAL AND UNOPENED
CONTAINERS AND NOT FOR CONSUMPTION ON PREMISES**

(State if for consumption on the premises or for sale in original and unopened containers and not for consumption on premises)

1329 E 800 Road, LAWRENCE, KS. Application therefore on file in the office of the County Clerk of Douglas County, having been approved by the governing body of said County, as provided by Laws of Kansas and the regulations of the board of County Commissioners.

This License will expire 12:00 midnight December 31, 2013 unless sooner revoked, is not transferable, nor will any refund be allowed thereon.

Done by the Board of County Commissioners of Douglas County, Kansas

This 18th Day of December, 2013

Attest: _____
County Clerk

Chairman

RESOLUTION _____

WHEREAS, on the **18th day of December 2013**, the same being a regular session of the Board of County Commissioners of the County of Douglas, the application of **Clinton Submarina** for a cereal malt beverage license came up for considerations by the above board and

WHEREAS, the Board does find that said **Clinton Submarina** is qualified under the law to sell cereal malt beverages for consumption on the premises located **1329 E 800 Rd, Lawrence, Kansas**

WHEREAS, the Board further finds that due and legal notice has been given the Clinton Township Board and that ten days has expired from the giving of said notice and that no written objection has been filed by the Clinton Township Board protesting the granting of a cereal malt beverage license.

NOW THEREFORE, BE IT RESOLVED that the applicant, **Clinton Submarina** granted a license to sell cereal malt beverage for consumption on the premises located at **1329 E 800 Rd, Lawrence, Kansas**

BE IT FURTHER RESOLVED, that Jameson Shew, County Clerk of Douglas County, Kansas be directed to issue said license.

Chairman

Member

Member

ATTEST:

Jameson Shew, Douglas County Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIME

RETAIL

Fee \$125.00

NO.

DEALER'S 2014 LICENSE

TO ALL WHOM IT MAY CONCERN:

License is hereby granted to: **CLINTON SUBMARINA**

**TO SELL CEREAL MALT BEVERAGES AT RETAIL IN ORIGINAL AND UNOPENED
CONTAINERS AND FOR CONSUMPTION ON PREMISES**

(State if for consumption on the premises or for sale in original and unopened containers and not for consumption on premises)

1329 E 800 Road, LAWRENCE, KS. Application therefore on file in the office of the County Clerk of Douglas County, having been approved by the governing body of said County, as provided by Laws of Kansas and the regulations of the board of County Commissioners.

This License will expire 12:00 midnight December 31, 2014 unless sooner revoked, is not transferable, nor will any refund be allowed thereon.

Done by the Board of County Commissioners of Douglas County, Kansas

This 18th Day of December, 2013

Attest: _____
County Clerk

Chairman



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglas-county.com

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

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing

SUBJECT: Consider Recommendations of Contracts for Banking, Merchant, and
Procurement Card Services

DATE: December 12, 2013

Douglas County staff recently solicited proposals for banking, merchant, and procurement card services for the majority of county offices. The intent was to consider contracting all of these services from one institution, but reserved the right to split the award between institutions offering the best overall solution for the County. The financial institutions were provided monthly averages of previous year's services and collected balances to assist them in determining their proposed fees and interest.

To provide a little background, the last solicitation for banking services was done in 2007. As a result of the economy, there have been significant changes in the banking market since this time. Merchant services (credit card payments made by the public) have been decentralized within the County, creating multiple fees passed onto the public for County services. In the past, the County accessed the State contract with UMB for procurement card services (credit card charges made by employees). Procurement cards allow the County the ability to generate revenue based on rebate offers.

The following financial institutions submitted proposals in response to our solicitation: UMB Bank, Bank of the West, Intrust Bank, Commerce Bank, US Bank, Sunflower Bank, Bank of America, MuniPay, and FIS (Fidelity National Information Services). The attached table provides a summary of the proposals. Many of the institutions offered earnings credit in lieu of interest and/or to offset monthly fees. US Bank offered a 3.5 basis points (0.03515) interest in addition to the earnings credits.

An evaluating committee of seven (Sarah Plinsky, Paula Gilchrist, Jaimie Shew, Stacey Kurtz, Marni Penrod, Doug Hamilton, and Karen Taylor) reviewed the proposals and narrowed their selection to UMB Bank, US Bank, Intrust Bank, and Commerce Bank. These institutions were invited in for an interview and to demonstrate their automated services.

Significant weight was given to cost, financial strength of the institution, experience in providing services to similar accounts, and automated services. Following the interviews and careful consideration, the committee feels that US Bank provided the best proposal for banking and procurement card services, and FIS for merchant services.

The evaluating committee will be available at the commission meeting to answer any questions you may have.

RECOMMENDATION: The Board of County Commissioners approves staff to negotiate and finalize contracts with US Bank for banking and procurement card services, and FIS for merchant services.

	Banking	Merchant Cards	Procurement Cards	Other
UMB Bank	\$1,574.16	0.20% +\$0.10	0.35%-1.03% .50% large ticket	\$1,002.50 lockbox monthly/\$4,010 annually
U.S. Bank	\$4,151.28 fees offset by earning credit; 0.035% interest	2.95%	volume 1.05%+ x speed of payment 0.00%-0.195%	Implementation and training fees waived supplies @ no cost. Provide 3 scanners at no cost; \$4,141 lockbox annually – offset by earning credit
Commerce Bank	\$1,961.32	2.45%	0.30%	1.00%-1.19% revenue share for AP program
Intrust Bank	\$1,271.00	0.20%	1 point per dollar or 1% on total net	\$7,993.80 lockbox annually
Bank of America	NA	\$0.04 per authorization + applicable service fees	NA	NA
Sunflower Bank	\$1,664.68 fees; 0.04% interest	program proposed rates vary by card type	NA	\$500 annual lockbox + .30 per item, \$3 data transmission, \$0.10 per image, \$0.05 key stroke
Bank of the West	NA	.15% per authorization + applicable fees	.50%-1.44% .35 large ticket	NA
FIS	NA	2.35%	NA	Provide equipment @ no cost
MuniciPay (NPS)	NA	fee program offered by card type	NA	NA

Fact Sheet #1

Lawrence Register of Historic Places

Designation Process

- Pre-submittal meeting with applicant
- Submit landmark application with legal description, certified property ownership list of properties within 250', history of property, and photographs of each elevation.
- Within 45-60 days a public meeting will be held by the Lawrence Historic Resources Commission to consider the nomination. Prior to the meeting of the HRC, a public hearing notice will be published in the *Lawrence Journal World*, the Lawrence Douglas County Planning Commission will be notified, and staff report will be prepared and available for the public.
- The HRC by resolution will recommend to the Lawrence City Commission either to designate, not to designate, or not to make a recommendation.
- Once the official minutes are available from the HRC public meeting and a report to the City Commission has been prepared, the item will be scheduled for the Lawrence City Commission.
- The City Commission will hold a public hearing and consider the nomination.

Once a property is listed as a Landmark in the Lawrence Register of Historic Places

A Certificate of Appropriateness from the Lawrence Historic Resources Commission is required for the following actions affecting the **exterior** architectural appearance of the landmark:

- (1) Any **exterior** construction, alteration, or removal requiring a **building permit** from the City.
- (2) Any **demolition** in whole or in part requiring a **demolition permit** from the City.
- (3) Any construction, alteration, demolition, or removal affecting a significant exterior architectural or historical feature as **specified in the ordinance** designating the landmark.

Standards used in the review of Certificate of Appropriateness are attached. They are based on the Secretary of the Interior's Standards for Rehabilitation.

Environs

Listing in the Lawrence Register creates a 250' environs area around the listed property. A Certificate of Appropriateness is required for the following actions affecting the exterior architectural appearance of properties located within 250' of the listed property:

- (1) Any **exterior** construction, alteration, or removal requiring a **building permit** from the City.
- (2) Any **demolition** in whole or in part requiring a **demolition permit** from the City.

Standards used in the review of Certificate of Appropriateness are attached. They are based on the Secretary of the Interior's Standards for Rehabilitation.

Fact Sheet #2

Specifics for the Listing of the Douglas County Courthouse on the Lawrence Register of Historic Places

- The Douglas County Courthouse is listed in the National Register of Historic Places and is subject to State Preservation Law (K.S.A. 75-2724, as amended). The following projects must be reviewed:
 - (1) Exterior or interior projects involving the listed historic property, including any of the following:
 - (A) Construction of one or more structures;
 - (B) site improvements;
 - (C) repair work;
 - (D) alterations or additions to the listed historic property;
 - (E) partial or total demolition of any structure on the listed historic property; or
 - (F) ground-disturbing projects;

State Law Review is based on the Secretary of the Interior's Standards for Rehabilitation.

- Listing in the Lawrence Register will not require review of projects not currently reviewed. Lawrence Register reviews are only for building and demolition permits that affect the exterior of the structure. (While there will be a separate review by staff, there is no additional process for the County.)
- Lawrence Register listing would create a 250' environs for the Courthouse. If development were to occur within this 250' environs, the development's impact on the Courthouse would have to be evaluated. (Currently, review of development proposals within 250' of the Courthouse do not have to consider the effect or impact of the development on the Courthouse.)
- Landmark listing on the Lawrence Register does not prohibit development of the Courthouse property or development within 250' of the Courthouse. Landmark listing creates a planning process for the Historic Resources Commission (HRC) to evaluate development for its impact on the listed property. If the HRC determines the development will encroach upon, damage or destroy the listed property, the applicant may appeal the determination to the Lawrence City Commission. Appeal of City Commission determinations may be made to District Court.
- Landmark listing on the Lawrence Register does not give the listed property owner special consideration at the HRC public hearing. The HRC must use the standards and guidelines identified in Chapter 22 (attached) to make a determination as to if a development project will encroach upon, damage, or destroy the listed property.

The Secretary of the Interior's Standards for Rehabilitation

First developed in 1976 to guide work on National Register properties receiving federal grants, The Secretary of the Interior's **Standards for Rehabilitation** are ten common sense principles for anyone to follow when planning rehabilitation work on a historic building. By emphasizing repair over replacement and accommodating reasonable change for new uses, the **Standards** seek to ensure the preservation of those qualities for which each property was listed in the National Register. The **Standards for Rehabilitation** apply to historic buildings of all periods, styles, materials and sizes. They apply to both the exterior and interior of all historic buildings. The **Standards** also apply to a building's site and environment, as well as new additions and adjacent or related new construction on the site.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be

differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Chapter 22 Standards for Review

In considering an application for a certificate of appropriateness, the Commission shall be guided by the following general standards in addition to any design criteria in this Chapter and in the ordinance designating the landmark or historic district:

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;
- (2) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible;
- (3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged;
- (4) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected;
- (5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity;
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures;
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken;
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project;
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environs.



DOUGLAS COUNTY ZONING & CODES DEPARTMENT
MEMORANDUM

TO: Craig Weinaug, County Administrator
FROM: Linda M. Finger, Interim Director of Zoning & Codes
SUBJECT: **Building Permit Flat Fee for Solar Photovoltaic Systems**
DATE: December 6, 2013

Solar Photovoltaic or PV Systems were approved for a flat fee by the City of Lawrence several months ago and Z&C Staff was asked to review this possibility for County Codes and permit fees.

In September, the City of Lawrence approved an amendment to section 5-176 of the City Code to amend the Schedule of Permit Fees to include under "Other Inspections and Fees" a flat rate of \$65 for "standalone solar power projects".

In a review of the draft meeting minutes from the Lawrence Building Code Board of Appeals (BCBA), the amendment recommended by that Board to the Fees permit schedule was for, "*Solar, thermal and photovoltaic systems requiring no structural changes to the building - \$65*". Discussion in the meeting raised the same points of concern county inspection staff has regarding: types of construction permitted; similarities/dissimilarities between solar, thermal and PV systems; how to and who assesses a building's structural/load capabilities; and, the separation/combination of a solar permit fee if a part of a larger construction project.

Taking the Board's discussion into consideration, I then reviewed the information provided by Eileen Horn, with particular attention given to the Department of Energy (DOE) rate structure based on system size and the Mid-America Regional Council's Solar Ready Program recommendations. One bulletin developed by MARC that was very helpful was how to calculate a reasonable flat fee. [This bulletin is attached.]

I also asked for comments from both codes inspectors regarding recent plan reviews for solar panels/installation and subsequent inspections of these projects. Solar panels and installation procedures are not only new for our inspectors, but they are apparently new for installers/contractors and Best Management Practices are still being learned as plans are submitted and projects inspected.

Development of a recommendation for a flat fee used the process outlined in the MARC bulletin and differs in value from the city's fee primarily based on the travel distance and the staff time associated with this greater travel time. The recommendation includes a footnote with applicability criteria. The criteria create limitations on when a flat rate for a standalone project would be permitted and are based on the dissimilarities between the County and the city of Lawrence, such as:

- Numerous buildings in the county, primarily those used for agricultural purposes, were constructed without inspections or building code compliance. The structural

component of these buildings and roof elements would require independent review and assessment prior to any additional load being added.

- A proportionately larger number of residential buildings were constructed by homeowners doing their own electrical work. Inspection of these systems could/would be required for systems that have never been inspected, before they could be safely connected to an additional electrical supply.
- Distance is a greater factor in the county. Our inspections are spread out and take 40-60 minutes (on average) round-trip travel time as compared to a typical city inspection that involves minimum travel time 15-20 minutes round-trip. The additional mileage associated with these travel times, is also associated with additional staff time.

As noted in MARC's bulletin, a flat rate should take into consideration staff time broken out into: plan review, administrative, and inspection time. A permit includes up to 2 inspections [initial inspection and if a return visit is required to complete an inspection]. MARC's mid-range fee (suggestion) is \$125. We believe a flat fee of \$115 would be appropriate for Douglas County.

RECOMMENDATION

Amend Chapter 13, Section 13-111.2 Permit Fee Schedule under "Inspections and Other Fees" to include the following language and footnote:

"Solar, thermal, and Photovoltaic (PV) systems, up to 10kW with a maximum system voltage of 600, for standalone projects requiring no structural changes to the building - \$115.00.¹

¹ Flat fee covers plan review, inspection and one re-inspection. Submittal shall include structural details of the roof on which the system will be mounted. Structural Engineer's certification may be required. Installation shall be according to manufacturer's recommended method and the 2011 NEC.

Process Improvements

Step 2-1A: Standardize Permit Fees

Establish a fixed fee based on cost recovery for residential PV permit applications

The jurisdiction should begin with an assessment of the estimated hours required for a standard photovoltaic (PV) permit application, according to the following steps:

- Determine the staff time required to review and inspect an average project that will cover costs 80 percent of the time, assuming a well-trained staff and a professional permit submittal and installation.
- The average plan review time should allow for one second-cycle minor correction review, but should be based only on the number of required inspections. Additional plan reviews or inspections should be assessed additional fees based on actual incurred costs. This fee methodology rewards proficient customers with fees that reflect actual costs and does not subsidize the less competent.
- To estimate the permit fee, multiply the billable hourly rates for each job function by the staff time required for each task that will cover 80 percent of customer submittals.
- For exceptional cases that do not conform to the norm, simply charge by the hour for the staff time for both the plan review and inspections based on the billable hourly rate for the job function.
- This value would then determine the fixed residential PV permit fee based on the following assumptions:
 - » A professional installation where the permit application meets permit submittal guidelines.
 - » If possible, over-the-counter, same day permit issuance should be instituted. This can significantly reduce administrative processing, saving valuable staff time compared taking in permits for later review.
 - » Plan checkers and inspectors are trained in PV installations.

Examples

Silicon Valley, CA Local Solar Permit Fee Changes

Audits of residential PV permit fee schedules led to initiatives by 27 cities in Silicon Valley (and over 100 other cities in California) to significantly reduce their fees, removing an important barrier to the installation of solar PV.

www.SolarPermitFees.org/NorCalPVFeeReport.pdf

Sample Residential Fee Calculator

Residential PV Fee Calculator

Jurisdiction Billable Hourly Rates	Enter Rate
Plan Check	\$ -
Inspections (two 30 minute inspections assumed)	\$ -
Administration Tasks (permit issuance, communication with applicant, filing, etc.)	\$ -

	Minimum Fee		Mid Range Fee*		Maximum Fee	
	Time (Hours)	Calculated Cost	Time (Hours)	Calculated Cost	Time (Hours)	Calculated Cost
Plan Check	0.50	\$ -	0.75	\$ -	1.00	\$ -
Inspection	1.00	\$ -	1.00	\$ -	1.00	\$ -
Administration Tasks	0.50	\$ -	0.75	\$ -	1.00	\$ -
Total		<u>\$ -</u>		<u>\$ -</u>		<u>\$ -</u>

Example of \$50 Billable Hourly Rate

Jurisdiction Billable Hourly Rates	Enter Rate
Plan Check	\$ 50.00
Inspections (two 30 minute inspections assumed)	\$ 50.00
Administration Tasks (permit issuance, communication with applicant, filing, etc.)	\$ 50.00

	Minimum Fee		Mid Range Fee*		Maximum Fee	
	Time (Hours)	Calculated Cost	Time (Hours)	Calculated Cost	Time (Hours)	Calculated Cost
Plan Check	0.50	\$ 25.00	0.75	\$ 37.50	1.00	\$ 50.00
Inspection	1.00	\$ 50.00	1.00	\$ 50.00	1.00	\$ 50.00
Administration Tasks	0.50	\$ 25.00	0.75	\$ 37.50	1.00	\$ 50.00
Total		<u>\$ 100.00</u>		<u>\$ 125.00</u>		<u>\$ 150.00</u>

* The Mid Range Fee is the estimated reasonable PV permit fee for cost recovery of a residential project.

Source: Recommendations for Commercial & Residential Solar PV Permit Fees, Sierra Club, Kurt Newick, published in November 2011.

www.solarpermitfees.org/PVPermitFeeRecommend2010.pdf



DOUGLAS COUNTY COMMISSIONERS

Douglas County Courthouse
1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5268 Fax (785) 832-5148
www.douglas-county.com

December 18, 2013

Hon. Derek Schmidt
Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

Lawrence Police Department
Attention: Tarik Khatib
4820 Bob Billings Parkway
Lawrence, KS 66049
111 East 11th
Lawrence, KS 66044

Douglas County Sheriff
111 East 11th
Lawrence, KS 66044

Re: Notice of Exemption from Section 2 of
Senate Substitute for House Bill No. 2052

Dear Sirs:

Pursuant to Section 2(i) of Senate Substitute for House Bill No. 2052, the Board of County Commissioners of Douglas County, Kansas adopted Resolution No. 13-36, exempting certain Douglas County, Kansas municipal buildings from Section 2 of the Bill for four years, commencing January 1, 2014. Enclosed with this letter is a photocopy of the Resolution.

Thank you for your attention to this matter.

Mike Gaughan
Chair of Board of County Commissioners

cc: Craig Weinaug

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, EXEMPTING CERTAIN DOUGLAS COUNTY BUILDINGS FROM SECTION 2 OF SENATE SUBSTITUTE FOR HOUSE BILL NO. 2052

WHEREAS, Section 2 of Senate Substitute for House Bill No. 2052, Chapter 105 of 2013 Kansas Session Laws (hereinafter, the "Act") generally provides that, from and after July 1, 2013, a person authorized to carry a concealed weapon pursuant to the personal and family protection act cannot be prohibited from bringing a concealed weapon into a "municipal building" unless such building has "adequate security measures" (as those terms are defined in the Act); and

WHEREAS, pursuant to Section 2(i) of the Act, the Board of County Commissioners of Douglas County, Kansas (the "Board") has previously exempted all Douglas County municipal buildings from Section 2 of the Act until January 1, 2014; and

WHEREAS, pursuant to Section 2(i) of the Act, the Board desires to further exempt certain Douglas County municipal buildings, as more particularly described in this Resolution, from Section 2 of the Act for an additional four years.

NOW THEREFORE, BY THE BOARD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Buildings Exempted. Pursuant to Section 2(i) of the Act, the Board hereby exempts the following Douglas County municipal buildings from Section 2 of the Act:

A. Old Courthouse located on the following legally described land:

PARK STREET LTS 9,11,13 & 15;ALSO NORTH PARK STREET ADJ TO SD LTS VAC 6-27-74 REC 300/433 (DIV 1989 U00862A & 2418A)

B. Public Works Administration Building located on the following legally described land:

PARK STREET LTS 14,16 & W 37.5FT LT 12 DESC AS:THOSE PORTIONS OF PARK LTS 12,14 & 16 DESC AS FOLLOWS:BEG AT NW COR PARK LT 16 TH S ALONG W LINE PARK LT 16 ON ASSUMED BEARING S 0DEGE 142.43 FT TH S89DEG22'53"E ALONG LINE COINCIDENT WITH N FACE OF N WALL OF OLD CHURCH SANCTUARY BLDG 137.58 FT TH N 0DEG09'42"W 143.91 FT TO N LINE PARK LT 12 TH N89DEG59'51"W ALONG N LINE PARK LTS 12,14 & 16 137.17 FT TO PT BEG D 436/1931;& FURTHER DESC AS:THOSE PORTIONS OF PARK LTS 12,14 & 16 IN SW 1/4 31-12-20 DESC AS FOLLOWS:COM AT NW COR PARK LT 16 TH S ALONG W LINE PARK LT 16 ON ASSUMED BEARING OF S 0DEGE 142.43 FT TO PT BEG:TH S89DEG22'53"E ALONG A LINE COINCIDENT WITH N FACE OF N WALL OF OLD CHURCH SANCTUARY BUILDING 137.58 FT TH S 0DEG09'42"E 56.23 FT TOS LINE PARK LT 12 TH N89DEG56'32"W ALONG S LINE PARK LTS 12,14 & 16 137.73 FT TO SW COR PARK LT 16 TH N 0DEGW ALONG W LINE PARK LT 16 57.57 FT TO PT BEG D 517/1630 (U02445A01 & U02445B COMBINED 1995)

- C. Public Works Shop Office Building located on the following legally described land:

SOUTHEAST LAWRENCE SUBURBAN ACRES SUB 7-13-20 TR 1,LESS N PART;ALSO LEARNARD SUBURBAN ACRES DIV 7-13-20 TR 2,LESS N PART& TR 3,LESS N PART 7.7A (U18000,1 & 2 COMBINED 1987)
- D. 4H Activities Building 1 and 2 located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- E. 4H Activities Building 4 located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- F. Fairgrounds Office and Shop Building located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- G. Fairgrounds Building 21 located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- H. Extension Office Building located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- I. Community Building located on the 4-H Fairgrounds on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- J. Dreher Building located on the following legally described land:

4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- K. Douglas County Corrections Facility (concealed carry prohibited in secure areas of the building pursuant to Section 2 (g) of the Act, and this prohibits concealed carry in the entire building), located at 3601 E. 25th Street, Lawrence, Kansas, on the following legally described land:

FRANKLIN WEST ADD LT 1 WW35
- L. Douglas County Youth Services/Juvenile Detention Facility (concealed carry prohibited in secure areas of the building pursuant to Section 2 (g) of the Act, and this prohibits concealed carry in the entire building),

located at 330 Industrial Lane, Lawrence, Kansas, on the following legally described land:

REPLAT OF LTS 2,3,4 & 5 OF NORTH LAWRENCE INDUSTRIAL SUB LT 2 (REPLAT 1983 N08024N02,3,4 &5)

SECTION 2. Reasons for the Exemption. The reasons for the exemption are to preserve the health and safety of County employees and members of the general public, and to ensure that the County's prohibition against firearms in the workplace and the County buildings described in this Resolution, by either County employees or members of the general public, continues. A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act.

SECTION 3. Concealed Carry Prohibited. As a result of this Resolution, authorization to carry a concealed weapon pursuant to the personal and family protection act does not authorize the person to carry a concealed weapon into any building identified in this Resolution, and all such persons are prohibited from doing so.

SECTION 4. Term of Exemption. The exemptions provided for in this Resolution shall continue for a term of four years.

SECTION 5. Delivery of Resolution. The Douglas County Clerk is instructed to send a copy of this Resolution to the Kansas Attorney General, the Douglas County Sheriff, and the Lawrence Police Department.

SECTION 6. Effective Date. This Resolution shall take effect and be in force from and after January 1, 2014.

PASSED, APPROVED and ADOPTED by the Board of County Commissioners of Douglas County, Kansas on _____, 2013.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS:

Mike Gaughan, Chair

Nancy Thellman, Member

Jim Flory, Member

ATTEST:

Jameson D. Shew, County Clerk

HOME RULE RESOLUTION NO. _____

A HOME RULE RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, PROHIBITING CONCEALED CARRY IN CERTAIN DOUGLAS COUNTY BUILDINGS

WHEREAS, Section 2 of Senate Substitute for House Bill No. 2052, Chapter 105 of 2013 Kansas Session Laws (hereinafter, the “Act”) generally provides that, from and after July 1, 2013, a person authorized to carry a concealed weapon pursuant to the personal and family protection act cannot be prohibited from bringing a concealed weapon into a “municipal building” unless such building has “adequate security measures” (as those terms are defined in the Act); and

WHEREAS, the Douglas County Judicial and Law Enforcement Building, as further described in this Resolution has “adequate security measures”; and

WHEREAS, consistent with the Act, the home rule authority of the Board of County Commissioners of Douglas County, Kansas (the “Board”) pursuant to K.S.A. 19-101a, and authority pursuant to K.S.A. 19-212, the Board of County Commissioners of Douglas County, Kansas (the “Board”) desires to prohibit concealed carry in certain Douglas County municipal buildings and leased offices, as more particularly described in this Resolution.

NOW THEREFORE, BY THE BOARD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Judicial & Law Enforcement Building. Pursuant to Section 2(a) of the Act and other authority cited in the Recitals, the Board hereby prohibits persons authorized to carry a concealed weapon pursuant to the personal and family protection act from bringing concealed weapons into the Douglas County Judicial & Law Enforcement Building, located at 111 E. 11th Street, Lawrence, Kansas, on the following legally described land:

RHODE ISLAND STREET LTS 117,119,121,123,125,127,129,131,133,135,137 & 139 PER DIST COURT CASE #25533;& NEW HAMPSHIRE STREET ADJ TO SD LTS VAC 6-27-74 REC BK 300/433;ALSO PARK STREET LTS 1,3,5 & 7;& NORTH PARK ST ADJ TO SD LTS VAC 6-27-74 REC BK 300/433 (DIV 1989 U00862A& U02418A)

Except for law enforcement officers otherwise permitted to carry a weapon in the Judicial & Law Enforcement Building, a person shall not have authority to enter through any restricted access entrance of the Judicial & Law Enforcement Building if such person is carrying a concealed handgun.

SECTION 2. Corrections Facilities. Pursuant to Section 2(g) of the Act and other authority cited in the Recitals, the Board hereby prohibits persons authorized to carry a concealed weapon pursuant to the personal and family protection act from bringing concealed weapons into the secure area of the following Douglas County municipal buildings:

A. Douglas County Corrections Facility, located at 3601 E. 25th Street Lawrence, Kansas, on the following legally described land:

FRANKLIN WEST ADD LT 1 WW35

B. Douglas County Youth Services/Juvenile Detention Facility, located at 330 Industrial Lane, Lawrence, Kansas, on the following legally described land:

REPLAT OF LTS 2,3,4 & 5 OF NORTH LAWRENCE INDUSTRIAL SUB LT 2 (REPLAT 1983 N08024N02,3,4 &5)

SECTION 3. Leased Office. The Douglas County Treasurer satellite office and the Zoning and Codes office, located at 2108 W. 27th Street, Suite I, Lawrence, Kansas, are located in a portion of a building that Douglas County leases from a private entity. Because Douglas County does not lease the entire building from the private entity, the building and the Douglas County offices located within the building are not a "municipal building" (as defined in the Act) and are not governed by Section 2 of the Act. Pursuant to the authority cited in the Recitals, the Board hereby prohibits persons authorized to carry a concealed weapon pursuant to the personal and family protection act from bringing concealed weapons into these leased offices.

SECTION 4. Exempted Buildings. Pursuant to Section 2(i) of the Act, the Board has exempted the following buildings from Douglas County municipal buildings from Section 2 of the Act:

A. Old Courthouse located on the following legally described land:

PARK STREET LTS 9,11,13 & 15;ALSO NORTH PARK STREET ADJ TO SD LTS VAC 6-27-74 REC 300/433 (DIV 1989 U00862A & 2418A)

B. Public Works Administration Building located on the following legally described land:

PARK STREET LTS 14,16 & W 37.5FT LT 12 DESC AS:THOSE PORTIONS OF PARK LTS 12,14 & 16 DESC AS FOLLOWS:BEG AT NW COR PARK LT 16 TH S ALONG W LINE PARK LT 16 ON ASSUMED BEARING S 0DEGE 142.43 FT TH S89DEG22'53"E ALONG LINE COINCIDENT WITH N FACE OF N WALL OF OLD CHURCH SANCTUARY BLDG 137.58 FT TH N 0DEG09'42"W 143.91 FT TO N LINE PARK LT 12 TH N89DEG59'51"W ALONG N LINE PARK LTS 12,14 & 16 137.17 FT TO PT BEG D 436/1931;& FURTHER DESC AS:THOSE PORTIONS OF PARK LTS 12,14 & 16 IN SW 1/4 31-12-20 DESC AS FOLLOWS:COM AT NW COR PARK LT 16 TH S ALONG W LINE PARK LT 16 ON ASSUMED BEARING OF S 0DEGE 142.43 FT TO PT BEG:TH S89DEG22'53"E ALONG A LINE COINCIDENT WITH N FACE OF N WALL OF OLD CHURCH SANCTUARY BUILDING 137.58 FT TH S 0DEG09'42"E 56.23 FT TOS LINE PARK LT 12 TH N89DEG56'32"W ALONG S LINE PARK LTS 12,14 & 16 137.73 FT TO SW COR PARK LT 16 TH N 0DEGW ALONG W LINE PARK LT 16 57.57 FT TO PT BEG D 517/1630 (U02445A01 & U02445B COMBINED 1995)

C. Public Works Shop Office Building located on the following legally described land:

SOUTHEAST LAWRENCE SUBURBAN ACRES SUB 7-13-20 TR 1,LESS N PART;ALSO LEARNARD SUBURBAN ACRES DIV 7-13-20 TR 2,LESS N PART& TR 3,LESS N PART 7.7A (U18000,1 & 2 COMBINED 1987)

- D. 4H Activities Building 1 and 2 located on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- E. 4H Activities Building 4 located on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- F. Fairgrounds Office and Shop Building located on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- G. Fairgrounds Building 21 located on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- H. Extension Office Building located on the following legally described land:
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- I. Community Building located on the 4-H Fairgrounds on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- J. Dreher Building located on the following legally described land:
4-H FAIRGROUNDS ADD LT A (DIV 2005 U13146A)
- K. Douglas County Corrections Facility (concealed carry prohibited in secure areas of the building pursuant to Section 2 (g) of the Act, and this prohibits concealed carry in the entire building), located at 3601 E. 25th Street, Lawrence, Kansas, on the following legally described land:
FRANKLIN WEST ADD LT 1 WW35
- L. Douglas County Youth Services/Juvenile Detention Facility (concealed carry prohibited in secure areas of the building pursuant to Section 2 (g) of the Act, and this prohibits concealed carry in the entire building), located at 330 Industrial Lane, Lawrence, Kansas, on the following legally described land:
REPLAT OF LTS 2,3,4 & 5 OF NORTH LAWRENCE INDUSTRIAL SUB LT 2 (REPLAT 1983 N08024N02,3,4 &5)

Pursuant to the authority cited in the Recitals, the Board hereby prohibits persons authorized to carry a concealed weapon pursuant to the personal and family protection act from bringing concealed weapons into these buildings.

SECTION 5. Concealed Carry Prohibited. As a result of this Resolution, authorization to carry a concealed weapon pursuant to the personal and family protection act does not authorize the person to carry a concealed weapon into any building and leased offices identified in this Resolution, and all such persons are prohibited from doing so.

SECTION 6. Term of Prohibitions. The prohibitions provided for in Sections 1, 2, and 3 of this Resolution shall continue indefinitely. The prohibitions provided for in Section 4 of this Resolution shall continue until December 31, 2017, and thereafter as long as such prohibitions may be then be permissible under the personal and family protection act.

SECTION 7. Effective Date. This Resolution shall take effect and be in force from and after its adoption and publication one time in the official County newspaper.

PASSED, APPROVED and ADOPTED by the Board of County Commissioners of Douglas County, Kansas on _____, 2013.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS:

Mike Gaughan, Chair

Nancy Thellman, Member

Jim Flory, Member

ATTEST:

Jameson D. Shew, County Clerk