

## **Labette County Board of Commissioners**

### **July 29, 2024**

#### **Convene**

Chairman Terry Weidert called the regular session of the Labette County Board of Commissioners to order at 9:05 a.m. on July 29, 2024, at the Labette County Courtroom. Attendance: Cole J. Proehl, Present, Vincent B. Schibi, Present, Terry Weidert, Present.

#### **Others Present for the Meeting**

County Counselor Brian K. Johnson, and Deputy County Clerk Lorrie Boulware.

#### **Media Present**

None

#### **Inter-Cooperation Agreement**

Commissioner Terry Weidert made a motion to accept the Inter-Cooperation Agreement between Montgomery County, Kansas and Labette County, Kansas, a contractual agreement for county appraiser duties. Cole J. Proehl seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes).

#### **Resolution No. 2024-28-A**

Commissioner Terry Weidert made a motion to authorize the Board of Commissioners' signatures on Resolution No. 2024-28-A to appoint Melody Kikkert as the Labette County Appraiser for a term commencing August 1, 2024 and ending June 30, 2025. Vincent B. Schibi seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes).

#### **Labette County Conservation District – 2025 Budget Certification**

Commissioner Vincent B. Schibi made a motion to authorize the Chairman's signature on the 2025 Budget Certification for the Labette County Conservation District. The requested amount was \$30,000.00 which was an increase of \$2,500.00 from the 2024 Budget. Cole J. Proehl seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes).

#### **Public Comment**

Labette County residents asked questions of or made comments to Commissioners.

#### **CIC Annual Peopleware Agreement**

Commissioner Vincent B. Schibi made a motion to authorize the chairman's signature on the Annual Peopleware Agreement between Labette County, Kansas and Computer Information Concepts, Inc., Greeley, Colorado for our software enhancements and support in the amount of \$44,985.00. Cole J. Proehl seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes).

#### **Executive Session**

Commissioner Terry Weidert made a motion to go into executive session for consultation with our attorney, a matter protected by the attorney-client privilege. To protect the privilege and the board's position (in litigation, potential litigation, administrative proceedings, etc.). Vincent B. Schibi seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes). Also present was County Counselor Brian K. Johnson, for a period of fifteen minutes to reconvene at 9:49 a.m. in the courtroom.

## **Executive Session**

The regular session of the Labette County Board of Commissioners reconvened at 9:49 a.m. Commissioner Terry Weidert made a motion to go into executive session for consultation with our attorney, a matter protected by the attorney-client privilege. To protect the privilege and the board's position (in litigation, potential litigation, administrative proceedings, etc.). Cole J. Proehl seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes). Also present was County Counselor Brian K. Johnson, for a period of ten minutes to reconvene at 10:00 a.m. in the courtroom.

## **Labette County Commissioners' Press Release**

Discussion was held concerning a press release of facts and information by the Labette County Commissioners regarding zoning in Labette County, Kansas. Commissioner Terry Weidert made a motion to adopt the press release. Vincent B. Schibi seconded the motion. The motion passed by vote: Cole J. Proehl (Yes), Vincent B. Schibi (Yes), Terry Weidert (Yes). The press release will be published in the editorial section of the Parsons Sun and Labette Avenue for two consecutive weeks and posted on the Labette County website.

### **LABETTE COUNTY COMMISSIONERS' PRESS RELEASE**

It has come to the attention of the Labette County Board of County Commissioners that some zoning information in public and on social media is inaccurate. This statement is to correct those inaccuracies.

1. Labette County was zoned in 2010. Zoning regulations were only written for Great Plains Industrial Park in agreement with the Army. The Planning and Zoning Board was established at that time as a requirement.
2. In 2022, the commission determined that the current Planning and Zoning Board was out of compliance (Lacked active members, had not met as required for over 5 years). The commission approved the appointment of 8 new members for the board and instructed them, at that time, to establish zoning regulations for the entire county.
3. Every ten years the Zoning Board is required to review the zoning regulations and comprehensive plan for the County per state statute.
4. Based on state statute, the issue for a county to be zoned, or not to be zoned, cannot be placed on an electoral ballot as polling questions are not allowed.
5. Based on the county counselor's legal opinion, the Board of County Commissioners voted that zoning is the best way for the county to regulate industrial wind and solar companies.
6. The appraiser's office works independent of the zoning board. No party, not even the board of county commissioners, may influence an appraiser in the course of their duties.
7. The recently adopted zoning regulations will not impact commercial, business, or agricultural land of existing landowners. Current leaseholders of commercial or industrial projects are subject to county zoning regulations.
8. Zoning regulations cannot be changed without public notice and public meetings, regardless of whether those changes are about adding or removing zoning statements.

The Labette County Board of County Commissioners relied on these facts for their decisions to protect the health, welfare, and to benefit the citizens of Labette County, Kansas.

This statement is approved unanimously by all three commissioners: Chairman Terry Weidert, Vincent B. Schibi and Cole J. Proehl. This statement is also approved in legal form only by County Counselor Brian K. Johnson.

## **Adjournment**

There being no further business before the Board of Commissioners, the meeting adjourned at 10:59 a.m. until 9:00 a.m. Wednesday, July 31, 2024.

Attest

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Deputy County Clerk, Lorrie Boulware

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Chairman, Terry Weidert