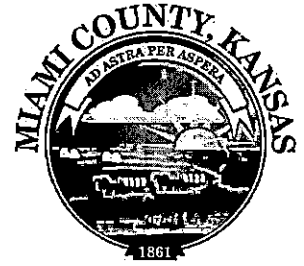


BOARD OF COUNTY COMMISSIONERS STUDY SESSION AGENDA

Wednesday, February 10, 2021 | 10:00 a.m.



-
1. General Discussion.
 2. Receive Economic Development monthly update from Janet McRae.
 3. Bid Solicitation for a sign truck (BID#2021-001) and an asphalt truck (BID#2021-002) with JR McMahan.
 4. Discuss Evening Star Culvert Replacement Project No. 19-01-SB (668) Construction Contract and Notice to Proceed with WCI, Inc., with Matt Oehlert.
 5. Discuss Project Authorization and Authorization to solicit for design services for Culvert Replacements and Bridge Guardrail, with Matt Oehlert.
 6. EMS purchase on heavy duty bumpers for EMS units with Frank Burrow and Dave Ediger.
 7. Discuss the resolution for temporary alcohol sales at the Fairgrounds with Planning, Teresa Reeves.
 8. Update on SPARK funding with Shane Krull.

MIAMI COUNTY STAFF REQUEST FOR COMMISSION ACTION

SUBMITTED BY: J.R. McMahon and Mark Hays	REQUESTED MEETING DATE: February 10th 2021
DEPARTMENT: Road and Bridge	REQUESTED MEETING: <input checked="" type="checkbox"/> STUDY SESSION <input checked="" type="checkbox"/> REGULAR MEETING
CONTACT INFORMATION: J.R. McMahon and Mark Hays	PROJECT / REFERENCE NUMBER: Bid # 2021-001(Sign Truck) & 2021-002 (Asphalt Truck)

AGENDA SUBJECT:
The 2020 Road and Bridge Budget allows for the purchase of two- 1 tons trucks. One for the Sign Crew and one for the Asphalt/Snow Crew. The advent of COVID-19 concerns caused these items to be postponed until 2021 with the funding put in the the Special Machinery Fund.

AGENDA SUBJECT BACKGROUND / DESCRIPTION:
See Attached Memos

REQUESTED ACTION / STAFF RECOMMENDATION:
Commission consideration to approve the submittal of bid # 2021-001 & 2021-002 for solicitation.

BUDGET IMPACT:
\$75,000 Est.

BUDGET AVAILABLE FOR THIS ITEM: \$214,329.99	BUDGET REMAINING FOR THIS ITEM: \$139,329.99
FUND / LINE ITEM TO BE CHARGED: 331-331-3709	ITEM BUDGETED?: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	CAPITAL PROJECT?: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

J.R. McMahon Digitally signed by J.R. McMahon
Date: 2021.02.01 14:20:18 -06'00'

2-01-2021

SUBMITTER'S SIGNATURE: DATE:

FISCAL REVIEW

Steve Pymrow

SIGNATURE:

2/5/2021

DATE:

Comments:

LEGAL REVIEW

SIGNATURE:

DATE:

Comments:

ADMINISTRATOR REVIEW

Shane Kull

SIGNATURE:

2-5-21

DATE:

Comments:

COUNTY CLERK'S OFFICE USE

Commission Action Taken:

Accepted

Denied

Postponed

Acknowledged

Date Action Taken:

Required Follow-up Date:

Publication Required:

Submitted to Publication By:

Yes

No

NPG Account Number:

Mail Distribution Required:

Mailed By:

Yes

No

Memo



J. R. McMAHON
DIRECTOR

To: Shane Krull
From: J. R. McMahon *JR* Mark Hays
Date: February 1, 2021
Subject: Bid 2021-01
Asphalt/Snow Truck

The 2020 replacement schedule has us replacing the sign truck #147. Due to COVID-19 concerns the purchase of the truck was postponed to 2021 with the funding credited to the Special Machinery Fund.

The Department will be bidding a cab and chassis only with 4-wheel drive. Once the truck arrives we will have a custom bed made and installed per our requirements by Genco of Garnett.

This truck will have multiple uses, in the summer the asphalt crew will haul sign's and equipment. Winter use will include a snow plow and sander on sub-divisions. Therefore the truck will be a 4*4.

The truck it will be replacing is still operational but the years of salting has caused extreme corrosion on the undercarriage and frame. The current truck we are replacing is truck #147 with 77,507 miles.

Disposal of the old truck will be through Purple Wave.

Please schedule for this item for a work session.

If there are any questions please contact me.

DETAILED SPECIFICATIONS

MIAMI COUNTY, KANSAS

IFB No.	2021-001
BID TITLE	1-TON CAB AND CHASSIS 4X4
BID TYPE	1-TON CAB AND CHASSIS 4X4

DEALER
NAME: _____

QUOTE COMPLETED BY & DATE : _____

CONTACT EMAIL: _____

BASE VEHICLE SPECIFICATIONS - 4 X 4, 1-TON CAB AND CHASSIS

BIDDER COMPLETION OF APPLICABLE SPACES IS ENCOURAGED					
FEATURE	DESCRIPTION	MFG'S CODE & DESCRIPTION	MEETS SPECS	BIDDERS REMARKS	
Model Equal To	Heavy Duty Truck, Cab and Chassis only / New or Current Year Production State Make, Model, Year	_____	YES/NO	_____	_____
	Full-Size Truck, 4 X 4	_____	YES/NO	_____	_____
	Frame Width 34.5" State Frame Width	_____	YES/NO	_____	_____
	Specify Cab to Axle Distance 70 inches minimum	_____	YES/NO	_____	_____
Engine	Minimum V8, 5.0L minimum 385 SAE Net H.P. – gasoline 430 ft.lbs. Torque minimum State Liter & Horsepower in remarks	_____	YES/NO	_____	_____
	Heavy Duty Radiator	_____	YES/NO	_____	_____
	Transmission	_____	YES/NO	_____	_____
	Standard Automatic per model bid 6-Speed with overdrive and cooler – minimum	_____	YES/NO	_____	_____
GVWR	12,500 GVWR or greater	_____	N/A	_____	_____
Paint	Standard Paint, White	_____	YES/NO	_____	_____
Warranty	State Terms-Provide Website	_____	N/A	_____	_____
MPG		_____	N/A	_____	_____

MINIMUM SPECIFICATIONS FOR ALL UTILITY VEHICLES ARE AS FOLLOWS:					
FEATURE	DESCRIPTION	MFG'S CODE & DESCRIPTION	MEETS SPECS	BIDDERS REMARKS	
Wheelbase	Specify Wheelbase 70 inches minimum Cab to Axle	_____	YES/NO	_____	_____
Steering	Factory Power Steering	_____	YES/NO	_____	_____
	Tilt Steering Column	_____	YES/NO	_____	_____
	Factory Cruise Control	_____	YES/NO	_____	_____
Brakes	Factory Power Anti-Lock Brakes	_____	YES/NO	_____	_____
Tires and Wheels	Tubeless Steel-Belted Radial, BSW All Season	_____	YES/NO	_____	_____

	16" or 17" Wheels and Tires		YES/NO	
	Standard Spare tire and rim for model, same size as others			
	Dual Rear Wheels		YES/NO	
Exterior	Heated Power Side View Mirrors		YES/NO	
	Tinted Windows-All		YES/NO	
	Back-up Alarm		YES/NO	
	Tow Package with Tow Hook and rear trailer plug-in		YES/NO	
	Snow-Plow Package		YES/NO	
	Front Bumper		YES/NO	
	Factory Intermittent Wipers		YES/NO	
	Rear Defroster		YES/NO	
	(3) Key-Fob's with Door Controls		YES/NO	
	Both key and keyless entry systems		YES/NO	
Interior	Outside Cab Steps		YES/NO	
	Manufacturer Manual		YES/NO	
	Instrumentation Gauges - Standard per model		YES/NO	
	Auxiliary Brake Controller		YES/NO	
	Front/Rear Stabilizer Bar		YES/NO	
	Factory Air Conditioning		YES/NO	
	Heater/Defroster		YES/NO	
	Auxiliary Power Outlets		YES/NO	
	Factory Power Door Locks		YES/NO	
	Factory Power Windows		YES/NO	
	Factory AM/FM Radio		YES/NO	
	Dual Sun Visors		YES/NO	
	Mirrors – Wide Field Vision Extended For Wide Bed		YES/NO	
	Inside Day/Night Mirror		YES/NO	
	Floor Covering-Vinyl Neutral Color with Mats		YES/NO	
	Outside Temperature Display		YES/NO	
Air Bags	Driver/Passenger Air Bags			
	Side Air Bag		YES/NO	
	Roof/Rail Air Bag		YES/NO	
Seats	Cloth Bench Seat, Split 40/20/40.		YES/NO	
			YES/NO	

END OF SPECIFICATIONS

**BIDSHEET FOR BID#2021-001
THIS IS NOT AN ORDER**

**1-TON CAB AND CHASSIS 4X4
Include Brochure with Bid Packet**

DESCRIPTION	OPTIONAL EQUIPMENT DESCRIPTION	OPTIONAL EQUIPMENT /PRICE	QTY/UNIT (1) 4 X 4 MODEL UNIT PRICE	TOTAL PRICE
YEAR: MAKE: MODEL:				

Delivery Terms: _____ Quote is good for _____ days.

Exceptions/Additions to specifications Yes ___ No ___

If Yes, attach a separate sheet detailing the same. Note: It shall be unacceptable for any bidder to make the statement "see specifications" in lieu of listing all exceptions/additions from the preceding specifications. It shall also be unacceptable for any bidder to submit the manufacturer's literature in lieu of the above. All exceptions/additions to our specifications shall be either handwritten or typed on an attached separate sheet.

We hereby agree to furnish the items on which prices are quoted above and on subsequent pages in accordance with all terms and conditions previously listed and any attached specifications.

Company Name Date

Address City State Zip

Signature of Bidder Title

Typed or Printed Name of Bidder Telephone No.

Email address

**UPON AWARD – DEALER WILL BE NOTIFIED BY THE AWARDING DEPARTMENT.
THE FOLLOWING TERMS WILL BE APPLICABLE TO THE ORDER.**

- Delivery complete and ready to use to Miami County Road and Bridge 23765 W 327th St, Paola, Kansas, 66071
- Payment is made within 30 days of the invoice.
- Titles to be made out to Miami County Kansas





Memo



J. R. McMAHON
DIRECTOR

To: Shane Krull
From: J. R. McMahon *JK* / Mark Hays
Date: February 1, 2021
Subject: Bid 2021-02
Sign Truck

The 2020 replacement schedule has us replacing the sign truck #148. Due to COVID-19 concerns the purchase of the truck was postponed to 2021 with the funding credited to the Special Machinery Fund.

The Department will be bidding a cab and chassis only with 2-wheel drive. Once the truck arrives we will have a custom sign bed made and installed per our requirements by Genco of Garnett.

The current truck we are replacing is a 2008 F350 with 183,912 miles with extreme amount of idle time from data entry in the field. The current truck will remain in use until the new truck and bed are complete.

Disposal of the old truck will be through Purple Wave.

Please schedule for this item for a work session.

If there are any questions please contact me.

SPECIFICATIONS
MIAMI COUNTY, KANSAS

IFB No.	2021-002
BID TITLE	1-TON CAB AND CHASSIS 4X2
BID TYPE	1-TON CAB AND CHASSIS 4X2

DEALER NAME: _____

QUOTE COMPLETED BY & DATE : _____

CONTACT EMAIL: _____

BASE VEHICLE SPECIFICATIONS – 4 X 2, 1-TON CAB AND CHASSIS

BIDDER MUST COMPLETE ANY APPLICABLE SPACES					
FEATURE	DESCRIPTION	MFG'S CODE & DESCRIPTION	MEETS SPECS	BIDDERS REMARKS	
Model Equal To	Heavy Duty Truck, Cab and Chassis only / New or Current Year Production State Make, Model, Year	_____	YES/NO	_____	_____
	Extended Cab/Double Cab Truck, 4 X 2	_____	YES/NO	_____	_____
	Frame Width 34.5" State Frame Width	_____	YES/NO	_____	_____
	Specify Cab to Axle Distance	_____	YES/NO	_____	_____
Engine	Minimum V8, 5.0L minimum 385 SAE Net H.P., – gasoline 430 ft.lbs. Torque minimum State Liter & Horsepower in remarks	_____	YES/NO	_____	_____
	Heavy Duty Radiator	_____	YES/NO	_____	_____
Transmission	Standard Automatic per model bid 6-Speed with overdrive and cooler – minimum	_____	YES/NO	_____	_____
GVWR	12,500 GVWR or greater	_____	N/A	_____	_____
Paint	Standard Paint, White	_____	YES/NO	_____	_____
Warranty	State Terms-Provide Website	_____	N/A	_____	_____
MPG	State Miles Per Gallon and tank size	_____	N/A	_____	_____

MINIMUM SPECIFICATIONS FOR ALL UTILITY VEHICLES ARE AS FOLLOWS:

FEATURE	DESCRIPTION	MFG'S CODE & DESCRIPTION	MEETS SPECS	BIDDERS REMARKS	
Wheelbase	Specify Wheelbase 84 Inch Min from From Cab to Axle	_____	YES/NO	_____	_____
Steering	Factory Power Steering	_____	YES/NO	_____	_____
	Tilt Steering Column	_____	YES/NO	_____	_____
	Factory Cruise Control	_____	YES/NO	_____	_____
Brakes	Factory Power Anti-Lock Brakes	_____	YES/NO	_____	_____
Tires and Wheels	Tubeless Steel-Belted Radial, BSW All Season 16" or 17" Wheels and Tires	_____	YES/NO	_____	_____
		_____	YES/NO	_____	_____

	Standard Spare tire and rim for the model, the same size as others				
Exterior	Dual Rear Wheels		YES/NO		
	Tinted Windows-All		YES/NO		
	Backup Alarm		YES/NO		
	Front/Rear Stabilizer Bar		YES/NO		
	Tow Package with Tow Hooks and rear trailer plug-in		YES/NO		
	Front Bumper		YES/NO		
	Factory Intermittent Wipers		YES/NO		
	Rear Defroster		YES/NO		
	Outside, Power Rear View Mirrors		YES/NO		
	(3) Key-Fob's with Door Controls		YES/NO		
Interior	Both key and key-less entry systems		YES/NO		
	Outside Cab Steps		YES/NO		
	Manufacturer Manual		YES/NO		
	Instrumentation Gauges - Standard per model		YES/NO		
	Factory Air Conditioning		YES/NO		
	Heater/Defroster		YES/NO		
	Auxiliary Power Outlets		YES/NO		
	Factory Power Door Locks		YES/NO		
	Brake Controller		YES/NO		
	Factory AM/FM Radio		YES/NO		
	Dual Sun Visors		YES/NO		
	Mirrors – Wide Field Vision Extended For Wide Bed		YES/NO		
	Inside Day/Night Mirror		YES/NO		
	Floor Covering-Vinyl Front & Rear-Neutral Color with Mats		YES/NO		
	Outside Temperature Display		YES/NO		
	Air Bags	Driver and Passenger Air Bags		YES/NO	
		Side Air Bag		YES/NO	
		Roof Rail Air Bag		YES/NO	
Seats	Cloth Bench Seat, Split 40/20/40.		YES/NO		
	Backseat – Bench/Cloth		YES/NO		
	Color-Neural		YES/NO		

**BIDSHEET FOR BID #2021-002
THIS IS NOT AN ORDER**

**1 TON CAB AND CHASSIS 4 X 2
Include Brochure with Bid Packet**

VEHICLE DESCRIPTION MODEL/YEAR	BASE BID	N/A	QTY/UNIT (1) 4 X 2 MODEL PRICE	TOTAL PRICING
4 X 2, PICKUP, 1-TON, TRUCK/CAB and CHASIS Model: _____ Make: _____ Year: _____				
Include Brochure and detailed specifications on model bid. State Warranty Period _____				\$

Delivery Terms: _____ Quote is good for _____ days.

Exceptions/Additions to specifications Yes ____ No ____

If Yes, attach a separate sheet detailing the same. Note: It shall be unacceptable for any bidder to make the statement "see specifications" in lieu of listing all exceptions/additions from the preceding specifications. It shall also be unacceptable for any bidder to submit the manufacturer's literature in lieu of the above. All exceptions/additions to our specifications shall be either handwritten or typed on an attached separate sheet.

We hereby agree to furnish the items on which prices are quoted above and on subsequent pages in accordance with all terms and conditions previously listed and any attached specifications.

Company Name Date

Address City State Zip

Signature of Bidder Title

Typed or Printed Name of Bidder Telephone No.

Email address

**UPON AWARD – DEALER WILL BE NOTIFIED BY THE AWARDED DEPARTMENT.
THE FOLLOWING TERMS WILL BE APPLICABLE TO THE ORDER.**

- Delivery complete and ready to use to Miami County Highway Department 23765 W 327th St, Paola, Kansas, 66071
- Payment is made within 30 days of the invoice.
- Titles to be made out to Miami County Kansas





F-350
SUPER DUTY

148



MIAMI COUNTY

STAFF REQUEST FOR COMMISSION ACTION

SUBMITTED BY: Matthew Oehlert	REQUESTED MEETING DATE: Wednesday, February 10, 2021
DEPARTMENT: Road and Bridge	REQUESTED MEETING: <input checked="" type="checkbox"/> STUDY SESSION <input checked="" type="checkbox"/> REGULAR MEETING
CONTACT INFORMATION: moehlert@miamicountyks.org	PROJECT / REFERENCE NUMBER: 19-01-SB (668)

AGENDA SUBJECT:
 Evening Star Culvert Replacement Project No. 19-01-SB (668) Construction Contract and Notice to Proceed with WCI, Inc.

AGENDA SUBJECT BACKGROUND / DESCRIPTION:
 Construction contract between Miami County, KS and WCI, Inc. for construction of Miami County Project No. 19-01-SB (668) Evening Star Culvert Replacement. Project is located on Evening Star Road 0.28 mile south of 169 Hwy. Contractor bid is \$137,040.85. Start date for construction is February 22, 2021 with 90 calendar days, therefore the estimated completion date is May 23, 2021.

REQUESTED ACTION / STAFF RECOMMENDATION:
 Commission to authorize Commission Chair to execute contract with WCI, Inc for construction of Miami County Project No. 19-01-SB (668) in the amount of \$137,040.85.

 Commission to authorize Commission Chair to execute the Notice to Proceed with WCI, Inc. for a start date of February 22, 2021.

BUDGET IMPACT:
 \$137,040.85

BUDGET AVAILABLE FOR THIS ITEM: \$150,000.00	BUDGET REMAINING FOR THIS ITEM: \$12,959.15				
FUND / LINE ITEM TO BE CHARGED: 0450-327-3714-668	<table style="width: 100%;"> <tr> <td style="width: 50%;">ITEM BUDGETED?:</td> <td style="width: 50%;">CAPITAL PROJECT?:</td> </tr> <tr> <td> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </td> <td> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </td> </tr> </table>	ITEM BUDGETED?:	CAPITAL PROJECT?:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ITEM BUDGETED?:	CAPITAL PROJECT?:				
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				

Matthew Oehlert Digitally signed by Matthew Oehlert
 Date: 2021.02.04 09:02:06 -06'00'

2/4/2021

SUBMITTER'S SIGNATURE:

DATE:

FISCAL REVIEW

Steve Lyman
SIGNATURE:

2/5/2021
DATE:

Comments:

LEGAL REVIEW

SIGNATURE:

DATE:

Comments:

ADMINISTRATOR REVIEW

Steve Knoll
SIGNATURE:

2-5-21
DATE:

Comments:

COUNTY CLERK'S OFFICE USE

Commission Action Taken:

Accepted

Denied

Postponed

Acknowledged

Date Action Taken:

Required Follow-up Date:

Publication Required:

Submitted to Publication By:

Yes

No

NPG Account Number:

Mail Distribution Required:

Mailed By:

Yes

No

00531
AGREEMENT

THIS AGREEMENT, made this 10th day of February, 2021 by _____
and between Miami County Commission, hereinafter called "OWNER," and
WCI, Inc (an individual) (a corporation) (a partnership),
hereinafter called "CONTRACTOR." WITNESSETH: That for and in consideration of the payments and
agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of
Culvert Replacement Project, Evening Star Rd Miami County Project No. 19-01-SB (668) RFB# 2020-014
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor, and other
services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS
within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the
project within 90 calendar days unless the period for completion is extended otherwise by the
CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT
DOCUMENTS and comply with the terms therein for the sum of \$ 137,040.85,
or as shown in the bid schedule. One hundred thirty-seven thousand forty dollars and eighty-five cents.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 - (A) Advertisement For BIDS
 - (B) Information For BIDDERS
 - (C) BID
 - (D) BID BOND
 - (E) Agreement
 - (F) General Conditions
 - (G) SUPPLEMENTAL GENERAL CONDITIONS
 - (H) Payment BOND
 - (I) Performance BOND
 - (J) NOTICE OF AWARD
 - (K) NOTICE TO PROCEED
 - (L) CHANGE ORDER
 - (M) DRAWINGS by Pfefferkorn Engineering & Environmental, numbered through 1-10, and
dated December 4, 2020.
 - (N) SPECIFICATIONS by Pfefferkorn Engineering & Environmental, LLC,
dated December 4, 2020.
 - (O) ADDENDA
No. _____, dated _____
No. _____, dated _____
6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in
the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
7. This agreement shall be binding upon all parties hereto and their respective heirs, executors,
administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement is 4 copies, each of which shall be deemed an original on the date first above written.

ATTEST: Miami County Commission

Name (please type)

Title

OWNER:

By _____

Name (please type)

Title

ATTEST:

Tueber Klaasmeyer

Tueber Klaasmeyer

Name (please type)

Title

CONTRACTOR

WCI Inc

By Bob Kling

Bob Klaasmeyer

Name (please type)

Title

END OF SECTION 00531

**00420
NOTICE TO PROCEED**

To: WCI, Inc.
25606 Old KC Road
Paola, KS 66071

Date: February 10, 2021

Project: **Culvert Replacement Project, Evening Star Rd**
Miami County Project No. 19-01-SB (668) RFB 2020-014

You are hereby notified to commence WORK in accordance with the Agreement dated February 10, 2021, on or before February 22, 2021, and you are to complete within 90 calendar days thereafter. The date of completion of all WORK is therefore May 23, 2021.

Miami County Commission
Owner

By: _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by _____
this the ____ day of _____, 20__

By _____

Title _____

END OF SECTION 00420

Project 19-01-SB (668)

Evening Star Road 0.28 mile south of 169 Hwy



Google Earth

© 2018 Google

MIAMI COUNTY

STAFF REQUEST FOR COMMISSION ACTION

SUBMITTED BY: Matthew Oehlert	REQUESTED MEETING DATE: Wednesday, February 10, 2021
DEPARTMENT: Road and Bridge	REQUESTED MEETING: <input checked="" type="checkbox"/> STUDY SESSION <input checked="" type="checkbox"/> REGULAR MEETING
CONTACT INFORMATION: moehlert@miamicountyks.org	PROJECT / REFERENCE NUMBER: 21-03-SB (678)

AGENDA SUBJECT:
Project Authorization and Authorization to Solicit for Design Services for Culvert Replacements and Bridge Guardrail

AGENDA SUBJECT BACKGROUND / DESCRIPTION:
Project Authorization and Authorization to Solicit for Design Services on the Culvert Replacements at the following locations: Culvert 2616 located on 327th street w/o Switzer, Culvert 249 located on 231st Street e/o Mission, Culvert 1926 located on Block Road s/o 351st Street, Culvert 1208 located on Plum Creek Road n/o 311th Street, Culvert 1750 located on 335th Street w/o Switzer Road, Culvert 2169 located on 367th Street e/o Jingo Road, Culvert 1836 located on 347th Street e/o Cedar Niles Road, and Bridge FAS 270 Guardrail replacement located on Hospital Drive 0.33 mile w/o Hedge Lane.

REQUESTED ACTION / STAFF RECOMMENDATION:
Staff requests Commission to authorize project and authorize staff to solicit for design services for the seven culvert replacements and for the one bridge guardrail to be upgraded to crash worthy guardrail.

BUDGET IMPACT:
\$170,000.00

BUDGET AVAILABLE FOR THIS ITEM:	BUDGET REMAINING FOR THIS ITEM:	
FUND / LINE ITEM TO BE CHARGED: 327-327-3711	ITEM BUDGETED?: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CAPITAL PROJECT?: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Matthew Oehlert Digitally signed by Matthew Oehlert
Date: 2021.02.04 09:01:41 -06'00'

2/4/2021

SUBMITTER'S SIGNATURE:

DATE:

FISCAL REVIEW

Steve Lyman
SIGNATURE:

2/5/2021
DATE:

Comments:

LEGAL REVIEW

SIGNATURE:

DATE:

Comments:

ADMINISTRATOR REVIEW

Shane Knoll
SIGNATURE:

2-5-21
DATE:

Comments:

COUNTY CLERK'S OFFICE USE

Commission Action Taken:

Accepted

Denied

Postponed

Acknowledged

Date Action Taken:

Required Follow-up Date:

Publication Required:

Submitted to Publication By:

Yes

No

NPG Account Number:

Mail Distribution Required:

Mailed By:

Yes

No

INTEROFFICE MEMORANDUM

TO: SHANE KRULL, MIAMI COUNTY ADMINISTRATOR
FROM: MATTHEW OEHLERT, PROJECT MANAGER
SUBJECT: CULVERT REPLACEMENT DESIGN PHASE
DATE: 2/10/21
CC: JR MCMAHON, ROAD AND BRIDGE DIRECTOR

Project Information: Project Authorization and Authorization to Solicit for Design Services on the Culvert Replacements listed below

Project Scope: Design phase for the culvert replacements at the following locations:

*Culvert 2616 located on 327th street w/o Switzer

*Culvert 249 located on 231st Street e/o Mission

*Culvert 1926 located on Block Road s/o 351st Street

*Culvert 1208 located on Plum Creek Road n/o 311th Street

*Culvert 1750 located on 335th Street w/o Switzer Road

*Culvert 2169 located on 367th Street e/o Jingo Road

*Culvert 1836 located on 347th Street e/o Cedar Niles Road

*Bridge FAS 270 Guardrail replacement located on Hospital Drive 0.33 mile w/o Hedge Lane.

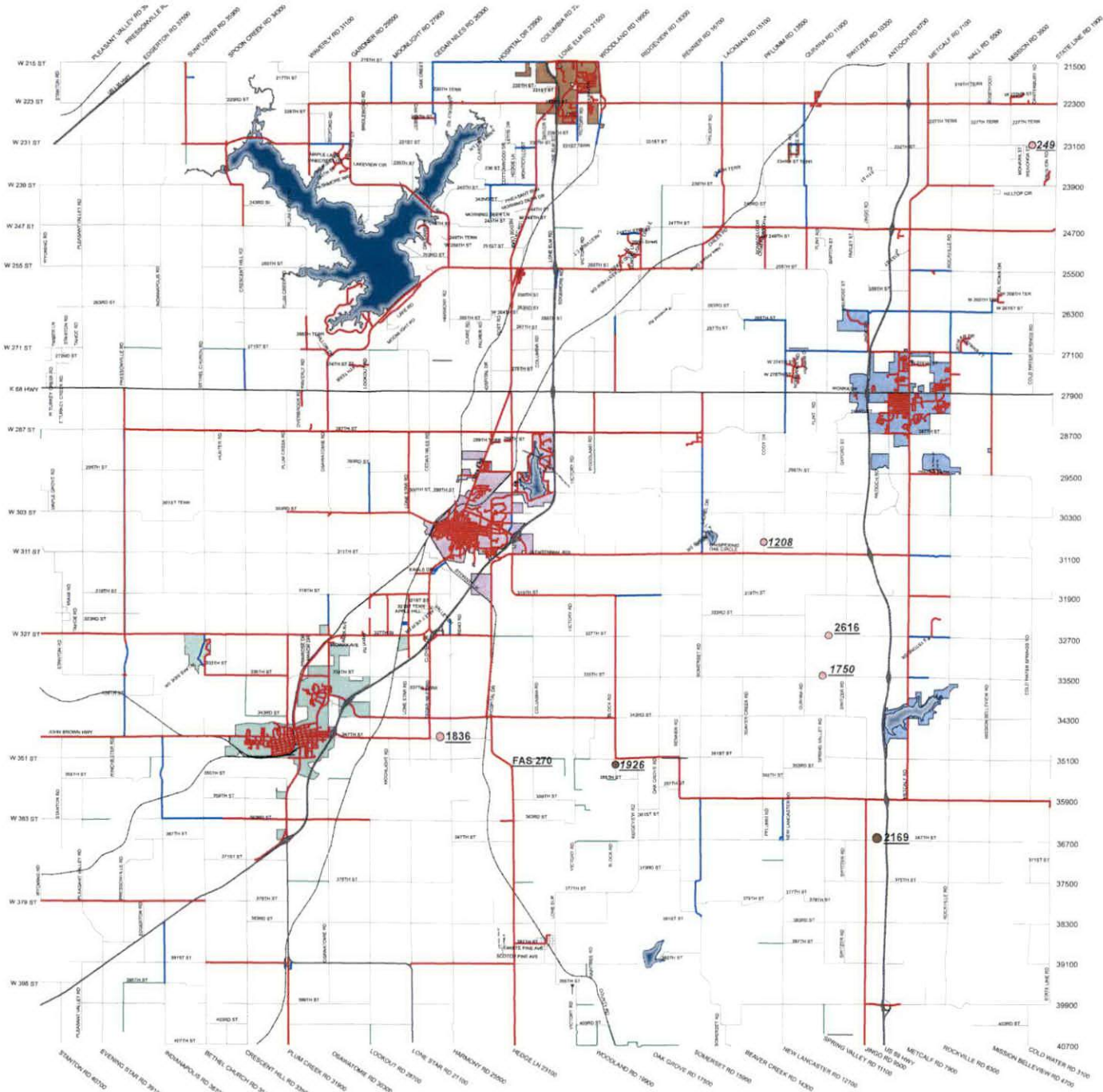
Utilities: N/A

**Miami County
Project Authorization Form**

Project Number 21-03-SB (678)
 Project Type Design for Culvert Replacement
 Project Location Various
 Project Length Various



Project Cost Estimate	Units	Unit Costs	Projected Costs	Totals
Preliminary Engineering				
% of Construction Cost			170,000	170,000
				170,000
Right-of-Way				
Parcels				0
				170,000
Utility Adjustments				
				0
				170,000
Construction Layout				
In-House				0
Contract				0
				170,000
Administration				
Permits	KHDE, DWR, Etc.			0
				170,000
Construction				
	Contract			0
				0
				0
				0
				170,000
Construction Engineering				
% of Construction Cost		10%	0	0
				0
				170,000
Contingencies		0%	0	0
				0
				170,000
Interim Interest		0%	0	0
				0
				170,000
				170,000



Culvert Structure Type

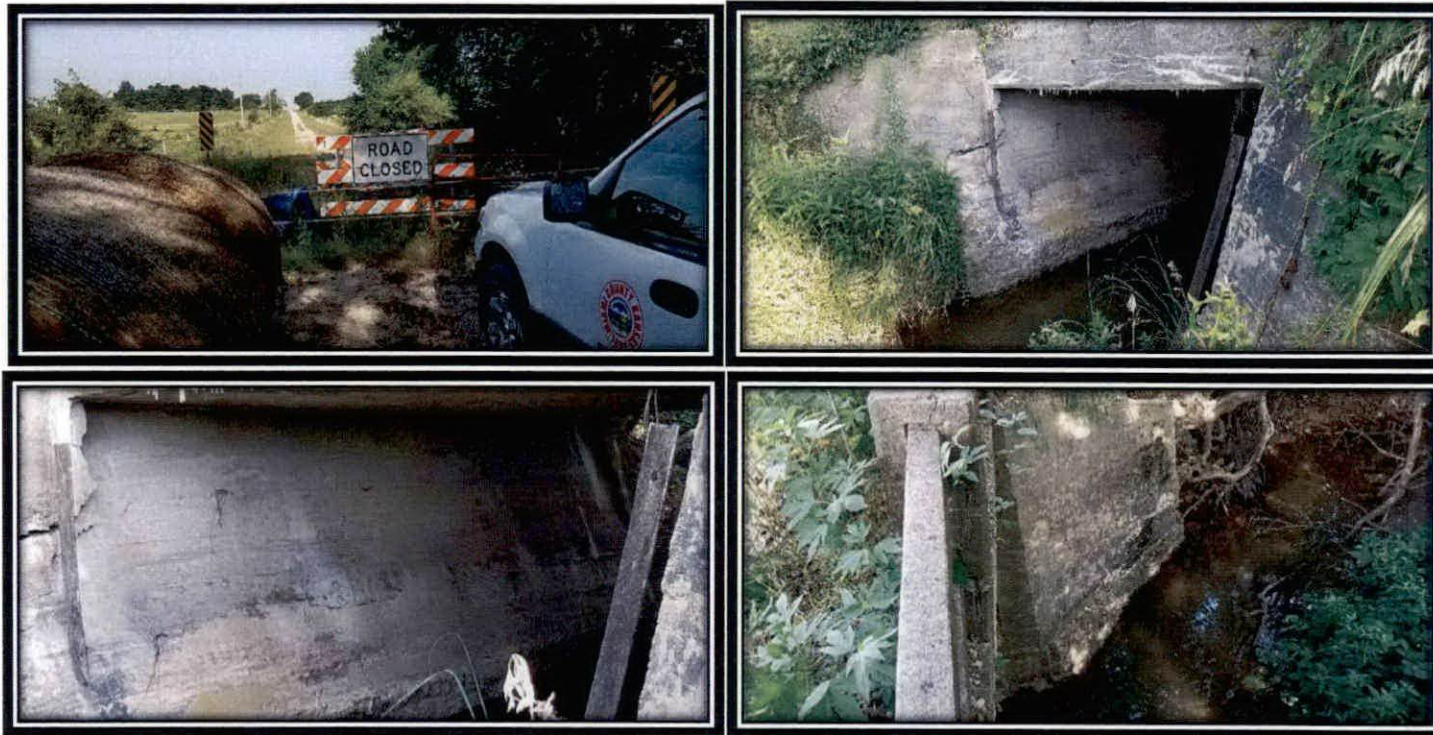
- CMP
- Concrete Slab
- Other
- RCB
- RCP
- Steel Stringer
- Timber Stringer

2019 Road Pavement Class

- Freeway
- Paved
- Chip & Seal
- Chip & Seal Dust
- Gravel
- Minimum Maintenance
- Louisburg
- Osawatomie
- Paola
- Spring Hill



Culvert #2616: 327th Street w/o Switzer (Reinforced Concrete Slab)

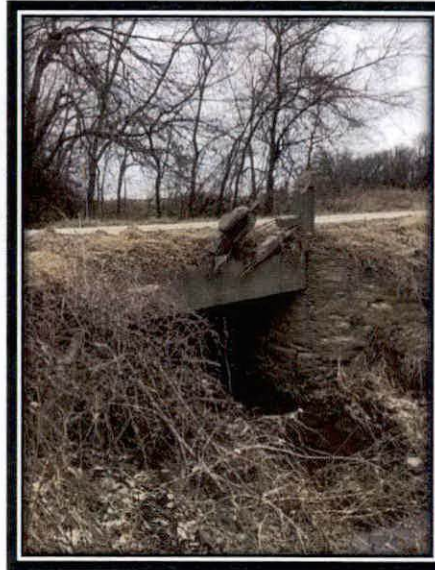
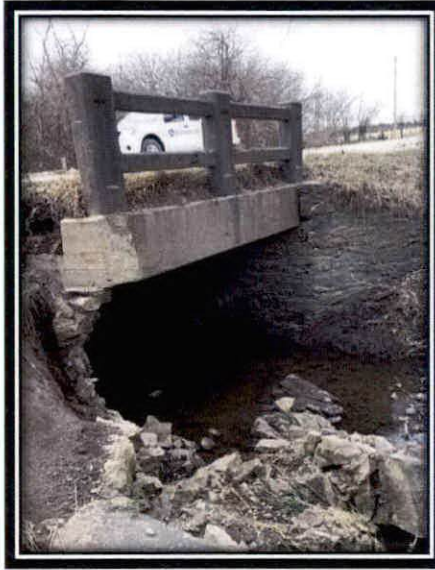


Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
12.1	20.5	5	3	1	N/A	3

Inspection Notes:

West abutment failed. Scour caused west abutment to collapse tipping out of plain. Loss of load path 100%. Concrete sheared and broken at moment areas. Channel alignment migrating towards west abutment. Vertical banks with heavy erosion.

Culvert #249: 231st Street e/o Mission (Concrete Slab)



Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
10	24	6	6	3	N/A	6

Inspection Notes:
 Northeast masonry wing is collapsed into channel, east masonry abutment has extensive crushing, first layer of stone has failed on east abutment.

Culvert #1926: Block Road s/o 351st Street (Steel Stringer)

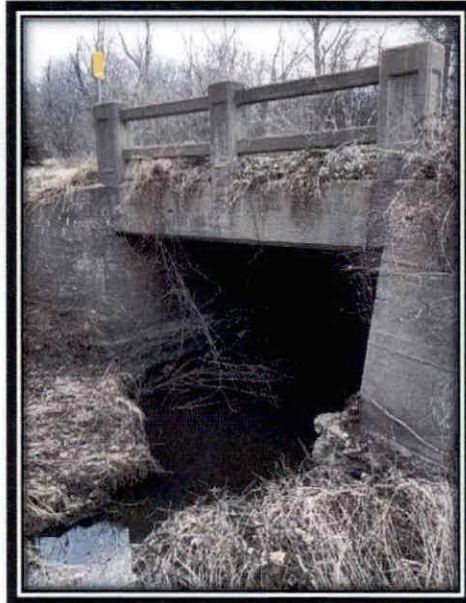
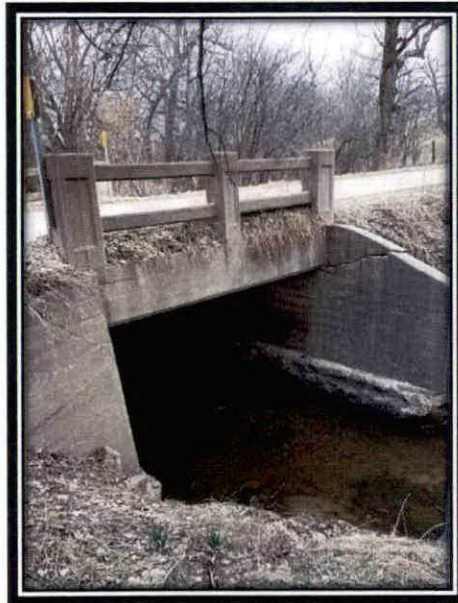


Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
10	20	6	6	3	N/A	6

Inspection Notes:

Severe deterioration, abutments are failing.

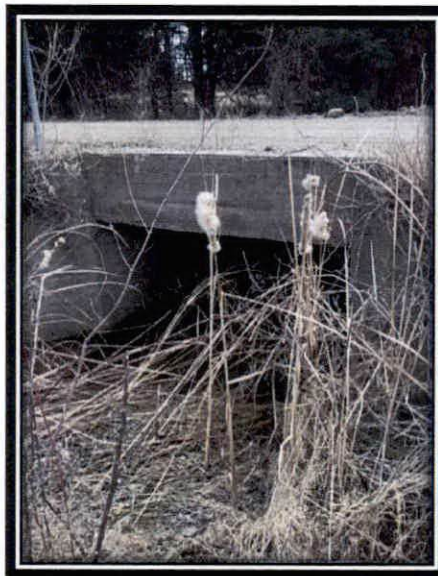
Culvert #1208: Plum Creek Road n/o 311th Street (Concrete Slab)



Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
12	18	6	6	3	N/A	3

Inspection Notes:
 Deck is separated from the south abutment has pushed 3 inches. Major scour under both abutments and all wings.

Culvert #1750: 335th Street w/o Switzer (Concrete Slab)



Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
13	24	4	3	0	N/A	4

Inspection Notes:

Structure has failed.

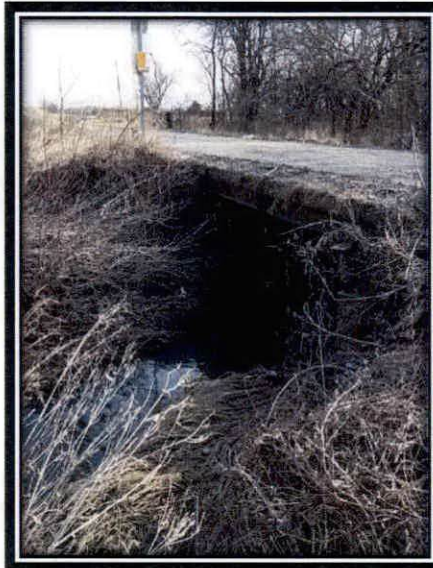
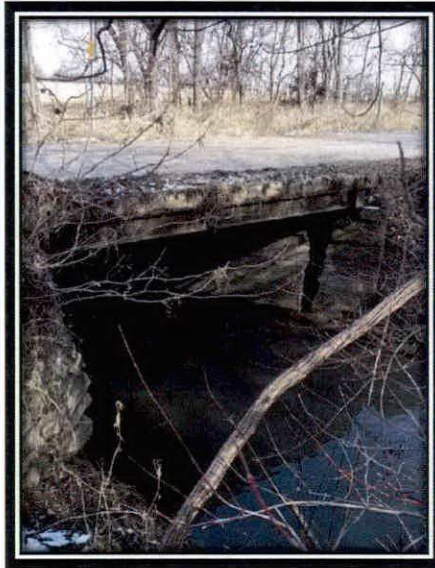
Culvert #1836: 347th Street east of Cedar Niles Road (Concrete Slab)



Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
12	18	6	6	4	N/A	3

Inspection Notes:
Upstream abutment is being undermined; it also appears that the structure has been yielding/downstream movement.

Culvert #2169: 367th Street east Jingo Road (Steel Stringer)



Structure Span	Structure Width	Deck Condition	Superstructure Condition	Substructure Condition	Culvert/Pipe Condition	Channel Condition
10	19	7	5	4	N/A	6

Inspection Notes:

Masonry abutment beginning to fail, separation in road beginning .

FAS 270- Hospital Drive 0.33 w Hedge Lane (Guardrail)



Inspection Notes:

Guardrail outdated. Upgrade to crash worthy guardrail.

MIAMI COUNTY

STAFF REQUEST FOR COMMISSION ACTION

Print Form

SUBMITTED BY: Dave Ediger/Frank Burrow	REQUESTED MEETING DATE: February 10th, 2021
DEPARTMENT: EMS	REQUESTED MEETING: <input checked="" type="checkbox"/> STUDY SESSION <input checked="" type="checkbox"/> REGULAR MEETING
CONTACT INFORMATION: 913-294-5010	PROJECT / REFERENCE NUMBER: NA

AGENDA SUBJECT:
PURCHASE AGREEMENT FOR THUNDERSTRUCK BUMPERS FOR AMBULANCES

AGENDA SUBJECT BACKGROUND / DESCRIPTION:
EMS IS SEEKING COMMISSION APPROVAL TO PURCHASE SIX (6) BUMPERS FOR AMBULANCES FROM THUNDERSTRUCK BUMPERS. THIS IS A HEAVY-DUTY BUMPER THAT WILL REDUCE COST OF REPAIRS FROM FRONT END COLLISIONS WITH NATURAL WILDLIFE IN THE AREA. BUMPER COST IS \$1,790.00 EACH, TOTAL \$10,740.00, PLUS INSTALLATION. INSTALLATION COST WILL BE AVAILABLE AT THE STUDY SESSION.

REQUESTED ACTION / STAFF RECOMMENDATION:
COMMISSION APPROVAL FOR PURCHASE AND INSTALLATION OF SIX (6) BUMPERS FROM THUNDERSTRUCK BUMPERS FOR EMERGENCY MEDICAL SERVICES.

BUDGET IMPACT:
NA

BUDGET AVAILABLE FOR THIS ITEM: NA	BUDGET REMAINING FOR THIS ITEM: NA
FUND / LINE ITEM TO BE CHARGED: 0100-307-3502-000	ITEM BUDGETED?: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	CAPITAL PROJECT?: <input type="checkbox"/> YES <input type="checkbox"/> NO


2/5/2021

SUBMITTER'S SIGNATURE: DATE:

FISCAL REVIEW

Steve Johnson
SIGNATURE:

2/5/2021
DATE:

LEGAL REVIEW

SIGNATURE:

DATE:

ADMINISTRATOR REVIEW

Shane Knell
SIGNATURE:

2-5-21
DATE:

COUNTY CLERK'S OFFICE USE

Commission Action Taken:

Accepted

Denied

Postponed

Acknowledged

Date Action Taken:

Required Follow-up Date:

Publication Required:

Submitted to Publication By:

Yes

No

NPG Account Number:

Mail Distribution Required:

Mailed By:

Yes

No



401 COTTAGE AVE
 ABILENE, KS 67410

Quote

Date	Quote #
1/20/2021	12113

Customer
Miami County EMS Frank Burrow fburrow@miamicountyks.org 913-548-9325

Ship To
Miami County EMS Frank Burrow fburrow@miamicountyks.org 913-548-9325

P.O. #	Rep
Quote	KNW

Item	Description	Quantity	Cost	Total
FEV08-200	2008+ FORD E-250/450 ECONOLINE VAN ELITE SERIES - DIAMOND PLATE STEEL - FRONT END REPLACEMENT - GLOSS BLACK POWDER COAT	1	1,420.00	1,420.00
AIR HORN MOUN...	BUELL AIR HORN 10" 1061 PASSENGER SIDE - MOUNTED IN CENTER SECTION OF BUMPER SHELL BUELL AIR HORN 12" 1062 DRIVER SIDE - MOUNTED IN CENTER SECTION OF BUMPER SHELL	1	150.00	150.00
SPEAKER MOUN...	SPEAKER MOUNT	2	60.00	120.00
SPECIAL CUT	SPECIAL CUT TO ADD SPEAKER & AIR HORN MOUNTS	1	100.00	100.00
	*QUOTE DOES NOT INCLUDE FREIGHT CHARGES			

QUOTE - NOT AN INVOICE	Total	\$1,790.00
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MIAMI COUNTY

STAFF REQUEST FOR COMMISSION ACTION

SUBMITTED BY: Teresa Reeves	REQUESTED MEETING DATE: February 10, 2021
DEPARTMENT: Planning	REQUESTED MEETING: <input checked="" type="checkbox"/> STUDY SESSION <input checked="" type="checkbox"/> REGULAR MEETING
CONTACT INFORMATION: 913-294-9553	PROJECT / REFERENCE NUMBER: NA

AGENDA ITEM / SUBJECT:
Temporary Alcohol Sales at Fairgrounds

ITEM BACKGROUND / DESCRIPTION:

Consideration of a resolution to allow the temporary sale of alcoholic beverages at the Miami County Fairgrounds property no more than 4 times per year, in accordance with KSA 41-1201 and the Alcohol Beverage Control Rules and Regulations. The subject property is located outside of the city limits of southern Paola, southeast of Wallace Park, in the NW 1/4 of Section 21, Twp. 17, Range 23, and SW 1/4 of Section 16, Township 17, Range 23, Paola Twp. Submitted by the Miami County Fair Board of Directors, John Menefee, President.

REQUESTED ACTION / STAFF RECOMMENDATION:

Sign the attached Resolution thereby authorizing the Fair Board to obtain temporary permits from ABC for the sale of alcoholic beverages.

BUDGET IMPACT:		
BUDGET AUTHORITY:	REMAINING BUDGET ALLOCATION:	
FUND / LINE ITEM:	FUNDS BUDGETED: <input type="checkbox"/> YES <input type="checkbox"/> NO	CAPITAL PROJECT: <input type="checkbox"/> YES <input type="checkbox"/> NO


SUBMITTER'S SIGNATURE:
2/03/21
DATE:

FISCAL REVIEW

Steve Lyman

SIGNATURE:

2/5/2021

DATE:

Comments:

LEGAL REVIEW

SIGNATURE:

DATE:

Comments:

ADMINISTRATOR REVIEW

Steve Knell

SIGNATURE:

2-5-21

DATE:

Comments:

COUNTY CLERK'S OFFICE USE

Commission Action Taken:

Accepted

Denied

Postponed

Acknowledged

Date Action Taken:

Required Follow-up Date:

Publication Required:

Submitted to Publication By:

Yes

No

NPG Account Number:

102898

Mail Distribution Required:

Mailed By:

Yes

No

Miami County Planning Department

BOCC Summary

DATE: February 10, 2021 – BOCC Meeting
TO: Board of County Commissioners
FROM: Teresa Reeves, Planning Director
RE: Resolution to Allow Temporary Alcohol Sales at Fairgrounds

Property Owner(s) Miami County Fair Association
Current Zoning Countryside / Floodplain
Comp Plan Rural Residential (10 to 15-Ac. density)
Paola Communication Area
Acreage Small area within 36 Acres +/-
CAMA # 135-21-0-20-01-001.00-0;
135-21-0-00-00-006.01-0;
135-16-0-30-43-029.00-0

Surrounding Zoning City limits of Paola; Countryside; Floodplain
Surrounding Uses Recreational/park area; Single family residential; Agricultural

Background

On June 25, 2020, the Fair Board issued a Resolution requesting the county pursue the necessary changes to allow the Fair Board to sell alcoholic beverages in accordance with KSA 41-1201 and ABC regulations. For the past couple of years, the Fair Board has requested how they could sell alcoholic beverages in a “beer tent” or specified area on the property. The current zoning on the property is Countryside, which does not allow the sale of alcoholic beverages. After much research and conversations with the Kansas Department of Revenue, Alcohol Beverage Control (ABC), staff learned that ABC could issue a temporary permit to the Fair Board for temporary sale of alcoholic beverages for no more than 3 consecutive days, and no more than 4 times per year, IF the Board of County Commissioners authorized such by Resolution which “suspends” these zoning restrictions applied to that property on those specific dates listed in the permit.

With the Approving Resolution, the Fair Board will need to obtain a temporary permit from ABC for "each" 3-day event, with no more than 4 temporary permits allowed per calendar year. As part of the temporary permit, a specific area of the property will need to be designated and enclosed for the sale and consumption of alcohol. The specific area the Fair Board has identified at this time is located between the Arena and Building 10. Staff included all of the Fair Association property in this legal description to provide flexibility in case the location of the beer garden needs to be moved into one of the buildings or onto a different part of the property.

Recommendation

Staff recommends the County Commission consider the request of the Fair Board and sign the attached Resolution thereby authorizing the Fair Board to obtain temporary permits from the Kansas Department of Revenue, Alcohol Beverage Control.

Attachments: Fair Board Resolution
KSA 41-1201
Vicinity Map
Approving Resolution

RESOLUTION of the Miami County Fair Board

Resolution to commence the process of adopting applicable zoning changes or amendments to the "Countryside" zoning regulation that would allow for the temporary sale of alcoholic beverages.

WHEREAS, in response to a letter received from County Counselor David Heger dated 06/12/2020 under direction of the Miami County Commission via their regularly scheduled meeting on 06/10/2020; and

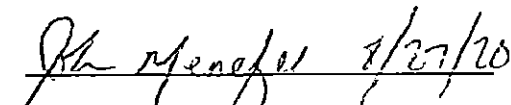
WHEREAS; the Miami County Fair Board is petitioning the Miami County Commissioners, Counselor, and Zoning Director to pursue the necessary changes or amendments to the "Countryside" zoning classification; and


WHEREAS; such zoning change or amendment would the allow for the temporary sale of alcoholic beverages on a temporary basis pursuant to Kansas Statutes and ABC regulation.

PASSED AND ADOPTED by the Miami County Fair Board unanimously at a regular meeting of said Board, held on the 25th day of June, 2020.

ATTEST:

Miami County Fair Board of Directors


John Menefee (President)


John Scherman (Vice President)


Emily McCrea (Secretary)

41-1201. Temporary permits; application requirements; issuance; employment restrictions. (a) A temporary permit shall allow the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on licensed or unlicensed premises, or on premises that are otherwise subject to a separate temporary permit, that may be open to the public, subject to the terms of such permit. A temporary permit shall also authorize the permit holder to sell, in accordance with rules and regulations adopted by the secretary, alcoholic liquor at a charitable auction, or one or more limited issue porcelain containers containing alcoholic liquor.

(b) A temporary permit holder may charge a fee for entrance into the premises described in the permit, or any portion thereof.

(c) The director may issue a temporary permit to any one or more persons or organizations applying for such a permit, in accordance with rules and regulations of the secretary. The permit shall be issued in the names of the persons or organizations to which it is issued.

(d) Applications for temporary permits shall be required to be filed with the director not less than 14 days before the event for which the permit is sought, unless the director waives such requirement for good cause. The application shall be upon a form prescribed by the director. Each application shall be electronically submitted and accompanied by a non-refundable permit fee of \$25 for each day for which the permit is issued, and such fee shall be paid by a check or credit card in the full amount thereof. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(e) Each application for a temporary permit shall specify the premises for which they are issued, including a diagram of the premises covered by the temporary permit. The diagram shall clearly show the boundaries of the premises, entrances to and exits from the premises and the area in which the service of alcoholic liquor would take place. A temporary permit shall be issued only for premises where the city, county or township zoning code allows the use for which the permit is issued. No temporary permit shall be issued for premises that are not located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, to adopt the proposition amending section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986; or

(B) have approved a proposition to allow the sale of liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(f) (1) A temporary permit may be issued for the consumption of alcoholic liquor on a city, county or township street, alley, road, sidewalk or highway for an event if: (A) Such street, alley, road, sidewalk or highway is closed to motor vehicle traffic by the governing body of such city, county or township for such event; (B) a written request for such consumption and possession of such alcoholic liquor has been made to the local governing body; and (C) the event has been approved by the governing body of such city, county or township by ordinance or resolution.

The boundaries of any such event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such event.

(2) Drinking establishments that are immediately adjacent to, or located within the licensed premises of an event, for which a temporary permit has been issued and the consumption of alcoholic liquor on public property has been approved, may request that the drinking establishment's licensed premises be extended into and made a part of the licensed premises of the event, for the duration of the temporary permit issued for such event.

(3) Each licensee selling alcoholic liquor for consumption on the premises of an event for which a temporary permit has been issued shall be liable for violations of all laws governing the sale and consumption of alcoholic liquor.

(4) Each temporary permit holder selling alcoholic liquor for consumption on the permit premises shall be liable for all violations of laws governing the sale and consumption of alcoholic liquor that occur in areas covered by multiple temporary permits.

(g) (1) Except as otherwise provided in this subsection, a temporary permit shall be issued for a period of time not to exceed three consecutive days, the dates and hours of which shall be specified in the permit. An applicant may not be issued more than four temporary permits in a calendar year.

(2) The director may issue a sufficient number of temporary permits as required by the state fair board, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine in its original, unopened container and the serving by the drink of wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose subject to the

conditions imposed by the state fair board. Nothing in this paragraph shall be construed to limit the number of temporary permits the director may issue for the sale of wine or beer, or both, on the state fairgrounds consistent with the requirements of the state fair board.

(3) For an event approved by the governing body of a city, county or township pursuant to subsection (e)(1), the director may issue a temporary permit, which may, at the director's discretion, be valid for the entire period of such event, but in no event shall such permit be issued for a period of time that exceeds 30 consecutive days.

(h) An application for a temporary permit may be rejected by the director if:

(1) The applicant has been granted four permits in the current calendar year;

(2) the application was not filed with the director at least 14 days prior to the event;

(3) the applicant, or any officer, director, partner, registered agent, trustee, manager or owner of the applicant has previously owned or operated any entity holding a temporary permit, club, drinking establishment or caterer's license, had such permit or license surrendered, and at the time such permit or license was surrendered had been ordered to appear and show cause why the permit or license should not be revoked or suspended;

(4) the applicant has designated an area for an event that was the subject of the order to appear and show cause as set forth in paragraph (3), and it appears that the new application for a temporary permit covering the premises is an attempt to avoid any possible remedial action taken by the director against the former permit or license holder; or

(5) the applicant has had a license or permit revoked under the club and drinking establishment act, or has been convicted of a violation of the Kansas liquor control act, the club and drinking establishment act, the Kansas cereal malt beverage act or the provisions of K.S.A. 79-41a01 et seq., and amendments thereto.

(i) (1) A temporary permit holder may purchase and possess alcoholic liquor for resale for a period of three days prior to the first day of sale of such alcoholic liquor. A distributor may, without any further permission from the director, deliver such alcoholic liquor to the permit premises.

(2) If a licensee has sold alcoholic liquor to a temporary permit holder, and a distributor directly delivers such alcoholic liquor to such temporary permit holder, but such licensee's normal hours of operation make immediate payment to the distributor impossible, the licensee may pay the retailer and the retailer may pay the distributor for such alcoholic liquor within 48 hours of the sale.

(3) Within three business days after the end of an event conducted pursuant to a temporary permit, the temporary permit holder may sell back to the retailer or farm winery from whom alcoholic liquor was purchased any alcoholic liquor sold to the temporary permit holder for such event.

(4) Upon written permission from the director and after four business days after the end of an event conducted pursuant to a temporary permit, the temporary permit holder may sell back to the licensee from whom alcoholic liquor was purchased any alcoholic liquor sold to the temporary permit holder for such event.

(j) A temporary permit shall not be transferable or assignable.

(k) Each temporary permit holder shall not employ or use the services of any person:

(1) Who is under the age of 18 years to serve alcoholic liquor;

(2) who is under the age of 21 years to mix or dispense drinks containing alcoholic liquor;

(3) who is under the age of 21 and not supervised by the temporary permit holder or an employee who is at least 21 years of age;

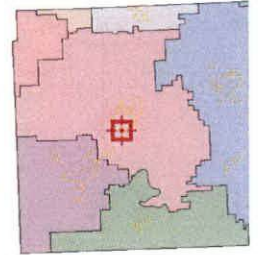
(4) who has been convicted of a felony or of any crime involving a morals charge to dispense, mix or serve alcoholic liquor; or

(5) who has been convicted within the previous two years of a violation of any intoxicating liquor law of this state, any other state or the United States, to dispense, mix or serve alcoholic liquor.








History: L. 2019, ch. 57, § 1; May 2.



Overview



Legend

-  City Limits
-  Centerlines
-  Parcels
-  Lakes
- Flood Zones**
-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE

Parcel ID= 198280000001000
 Acres= 15.172527949999999

Date created: 1/4/2021
 Last Data Uploaded: 1/4/2021 7:14:22 AM

Developed by  Schneider
 GEOSPATIAL

RESOLUTION

NO. _____

**A RESOLUTION AUTHORIZING THE TEMPORARY SALE OF
ALCOHOLIC BEVERAGES AT
THE MIAMI COUNTY FAIRGROUNDS**

WHEREAS, the Miami County Fair Board of Directors did pass and adopt a Resolution on June 25, 2020, petitioning the Miami County Commissioners, County Counselor and Zoning Director to pursue the necessary amendments to allow for the temporary sale of alcoholic beverages on a temporary basis pursuant to KSA 41-1201, and ABC regulations on the property owned by the Miami County Fair Association described in Section 1 below; and

WHEREAS, although the Fairground property is zoned Countryside (CS), which does not allow the sale of alcoholic beverages, KSA 41-1201 allows a temporary permit to be issued for the consumption of alcoholic liquor on specified property if the Board of County Commissioners authorizes the temporary sale of alcohol on said property by suspending the zoning restrictions for such sales no more than four (4) times per calendar year, with each occurrence being no more than three (3) consecutive days, the dates and hours of which shall be specified in the temporary permit; and

WHEREAS, in accordance with KSA 41-1201(e)(1)(B), Miami County has approved a proposition to allow the sale of liquor by the individual drink in public places within the county at an election pursuant to KSA 41-2646, and amendments thereto, and (2) has not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to KSA 41-2646, and amendments thereto; and

WHEREAS, the Board of County Commissioners has reviewed the request of the Miami County Fair Board, and finds that the request for the temporary sale of alcoholic beverages during the annual fair, and two or three other timeframes during the year would allow the Fair Board to raise funds for the fair and fairgrounds, and not adversely affect the surrounding properties or the general public as enforced and provided by the Kansas Department of Revenue, Alcohol Beverage Control.

IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, KANSAS, that they hereby authorize temporary permits to be issued by the Kansas Department of Revenue, Alcohol Beverage Control on the Miami County, Kansas Fairgrounds property to allow alcoholic beverages to be sold no more than four (4) times per calendar year and no more than 3 consecutive days per occurrence in accordance with KSA 41-1201, and amendments thereto, subject to the revocation or

modification of said Resolution upon sufficient evidence that these regulations/stipulations have not been complied with, and/or this provision has resulted in adverse conditions at the Fairgrounds; and subject to compliance with all relevant codes and regulations, including the Floodplain Regulations, adopted by Miami County.

Section 1:

The property owned by the Miami County Fair Association, identified as Appraiser's Parcel No's 135-16-0-30-43-029.00-0; 135-21-0-20-01-001.00-0; and 135-21-0-00-00-006.01-0, and more particularly described by the legal descriptions as shown on Deeds recorded at the Miami County Register of Deeds Office, at Book 177 / Page 359, and Book 362 / Page 128.

The provisions in this resolution will become effective upon the adoption by the Board of County Commissioners and publication of the adopting resolution in the Official County newspaper. All zoning regulations of Miami County, Kansas affecting the use of the real property heretofore described, which are inconsistent with this resolution are hereby made inapplicable to said property until the Conditional Use Permit is vacated or is declared null and void.

ADOPTED ON THIS _____ DAY OF _____, 2021.

BOARD OF COUNTY COMMISSIONERS
MIAMI COUNTY, KANSAS

BONNIE "ROB" ROBERTS, Chairman

ATTEST

TYLER VAUGHAN, Chairman Pro-tem

JANET WHITE, County Clerk

PHIL DIXON, Commissioner

GEORGE PRETZ, Commissioner

DANIEL GALLAGHER, Commissioner

Approved as to form and legality on _____ by _____.