

CHARTER RESOLUTION NO. 6

A CHARTER RESOLUTION providing authority for the Board of County Commissioners of Cowley County, Kansas to prohibit the use of certain highways within Cowley County, Kansas by commercial trucks and other commercial vehicles and providing for the posting thereof by the Cowley County Highway Department and providing penalties for violations thereof.

WHEREAS, the Board of County Commissioners of Cowley County, Kansas finds that certain County highways are being used by commercial trucks and commercial vehicles and that the weight and size of these vehicles are destroying the surface of these highways and causing a danger to other users thereof; and

WHEREAS, there does exist within the general areas of these highways, other highways sufficient in construction to provide an alternate route which have been approved by the Secretary of Transportation pursuant to K.S.A. 8-1912(o).

NOT THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COWLEY COUNTY, KANSAS:

Section 1. It shall be unlawful for any commercial truck or vehicle to use certain designated highways within Cowley County if such truck or vehicle has neither a point of origin nor a point of destination located within the confines of Cowley County, Kansas.

Section 2. The Board of County Commissioners together with the County Engineer shall determine what County roads will be off limits for such commercial truck or vehicle traffic.

Section 3. Official traffic signs designed and installed by the Cowley County Highway Department shall be erected and placed at appropriate locations along such designated roadways at least thirty (30) days prior to the enforcement thereof by the Cowley County Sheriff or any other law enforcement official.

Section 4. The terms "commercial" as used in this resolution shall mean the hauling of goods or passengers for hire.

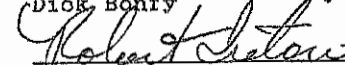
Section 5. A violation of this resolution shall be classified as a Class A misdemeanor defense pursuant to the provisions of K.S.A. 1989 Supp. 21-4502 and K.S.A. 21-4503.

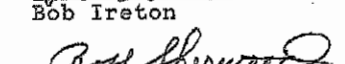
Section 6. This resolution shall be published once each week for two consecutive weeks in the official county paper.

PASSED AND APPROVED: September 12, 1990.

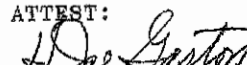
BOARD OF COUNTY COMMISSIONERS
OF COWLEY COUNTY, KANSAS


Dick Bonfy


Bob Ireton


Ross Sherwood

ATTEST:


H. Joe Gaston, County Clerk

Cowley County Regular Commission Meeting Minutes
Tuesday, October 9, 2012

The Board of County Commission met in regular session Tuesday, October 9, 2012 at 7:00 pm. Those present were Chairman Wayne Wilt, Vice Chairman Alan Groom and Commissioner Gary Wilson also present was Jeremy Willmoth, County Administrator, Mark Krusor, County Counselor and Karen Defore, County Clerk. Also present were Dale Steward, 5th grade Girl Scout Troop and John Giffin.

- Chairman Wilt delivered the invocation.
- Commissioner Wilson moved, Chairman Wilt seconded to approve the minutes of the Regular County Commission meeting held on October 2, 2012 as presented. Vote 3-0
- Vice Chairman Groom moved, Commissioner Wilson seconded to authorize GracePointe Assembly of God to use the County (Albertson) Annex parking lot at 9th and Loomis on Wednesday, October 31, 2012 from 5:30 pm to 9:00 pm for a "Trunk-or-Treat" event. Vote 3-0
- Dale Steward County Engineer addressed Commissioners regarding Resolution 91-7 a resolution that restricts truck traffic along county roads if the load does not originate or terminate in Cowley County. A request was made by a company wanting to utilize Cowley #3 for truck traffic hauling from Butler County to Kingman County. The alternate route proposed by Mr. Steward adds 4 miles to the route but keeps the traffic on State roads that are built to handle heavier traffic. If Commissioners post signs on Cowley #3 to restrict truck traffic, enforcement of the restriction will not take effect until 30 days after posting of the signs. After some discussion, Vice Chairman Groom moved, Chairman Wilt seconded to post signs restricting truck traffic if the load does not originate or terminate in Cowley County consistent with Resolution 91-7 on the portion of Cowley #3 from the Butler County Line south to K55 Highway. Vote 3-0 Staff is to prepare a notification to be published in the newspaper.
- Chairman Wilt read an invitation to the Commission inviting them to a Council on Aging meeting October 12, 2012 at 1:30 pm.
- Commissioners signed one journal entry.
- Chairman Wilt signed the 3rd quarter financial statement.
- Commissioners signed payroll dated 09/16/12 through 09/29/12 taken to Cornerbank on October 3, 2012 in the amount of \$217,183.09.
- Jeremy Willmoth, County Administrator addressed Commissioners regarding a meeting he attended with Kansas Department of Transportation(KDOT) and the City Managers of Winfield and Arkansas City to discuss the possibility of a project on US 77 at Strother Field. KDOT would like a community investment in the project of \$1 million. If Strother Field is allowed to contribute funds the amount would be divided by four which would only require the County to donate \$250,000. The project would create a raised road over the railroad tracks with one entry point onto US 77. More details will be discussed at a later date. Commissioners were receptive to contributing and continuing with the plan.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF COWLEY COUNTY, KANSAS**

RESOLUTION NO. 2016-06

**A RESOLUTION RESTRICTING ACCESS ON CERTAIN ROADS FROM GENERAL
USE TO AND FROM THE SAND PLANT.**

WHEREAS, roads closely surrounding the Sand Plant have historically been misused and unkempt causing an undue burden on the property owner of those roads and creating a public nuisance; and

WHEREAS, a portion of the John E. Dunn Road, also known as 122nd Road, has been upgraded to accommodate truck traffic;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF COWLEY COUNTY, KANSAS:

1. That the following portions of township roads hereinafter described shall not be used by persons travelling to/from the Sand Plant, located at 1438 122nd Road, Oxford, Kansas in Section 6, Township 32S, Range 3E, for the purpose of hauling materials, to-wit:
 - a. That portion of the J.H. Werden Road, also known as 142nd Road, described as follows:
Beginning at the southeast corner of the southeast corner of Section 7, Township 32 South, Range 3 East; thence west to the county line;
 - b. That portion of the H.S. Wooley Road, also known as 11th Road, described as follows:
Beginning at the northeast corner of the northeast quarter of Section 6, Township 32 South, Range 3 East; thence south to US 160 Highway;
2. The Cowley County Public Works Superintendent shall post these roads at appropriate points designated by them advising the users thereof that the same are off limits to vehicles transporting material to or from the Sand Plant.
3. That any person convicted of violating this Resolution shall be guilty of a Class C misdemeanor offense subject to the fines and penalties therein applicable to persons convicted of a Class C misdemeanor under the Kansas Statutes Annotated.
4. Provided however, the prohibition in Section 1 shall not apply to any person whose residence abuts the aforementioned road when such person is traveling on such road to or from the Sand Plant to haul materials.
5. This Resolution supersedes any and all prior Resolutions.
6. This Resolution shall be governed exclusively by and constructed to accordance with the applicable laws of the State, including but not limited to KSA 8-1912, et. seq.
7. This Resolution shall take effect and be in full force from and after its adoption by the Board.

Cowley County Regular Commission Meeting Minutes

Tuesday, November 6, 2018

The Board of County Commission met in regular session Tuesday, November 6, 2018 at 9:00 am. Those present were Chairman Alan Groom, Vice Chairman Bob Voegele, Commissioner Wayne Wilt, Lucas Goff, County Administrator, Mark Krusor, County Counselor and Karen Madison, County Clerk. Also present were Toni Long, David Lawson and Judith Zaccaria.

- Chairman Alan Groom delivered the invocation.
- Vice Chairman Voegele moved, Commissioner Wilt seconded to approve the minutes from the Regular County Commission Meeting held on October 23, 2018 as presented. Vote 3-0
- David Lawson, Public Works Superintendent, addressed Commissioners regarding Form 1309 for the commitment of county funds to off-system Bridge #129 replacement. Chairman Groom moved, Commissioner Wilt seconded to approve Kansas Department of Transportation Form 1309 accepting the award contract and commitment of county funds to off-system bridge #129 replacement in the amount of \$131,000.00. Vote 3-0
- Chairman Groom moved, Vice Chairman Voegele seconded to approve the addition of portions of 41st Road, 302nd Road, 51st Road, 304th Road, 53rd Road, and 306th Road (Cowley 16 aka Lovers Lane) from US 166 Highway south and east to US 77 Highway to the list of roads restricting commercial truck traffic, posting of signage of these restrictions, and publishing of public notice to be published in newspaper, all in accordance with Charter Resolution 7 dated January 22, 1991. Vote 3-0
- Commissioners discussed Resolution No. 2018-06 restricting tobacco use in County buildings which extends the prohibition to vaping. Vice Chairman Voegele moved, Commissioner Wilt seconded to adopt Resolution No. 2018-06 as presented. Vote 3-0
- Commissioners discussed the claims for the period of November 6, 2018 for checks numbered 179315-179403 totaling \$51,728.39, wires totaling \$73,996.48 and direct deposits totaling \$76,528.87. Hand checks numbered 812149-812176 totaling \$186,454.65. Vice Chairman Voegele moved, Commissioner Wilt seconded to approve the claims as presented. Vote 3-0
- Commissioners signed payroll dated October 26, 2018 for \$250,101.84 taken to RCB October 25, 2018.
- Chairman Groom moved, Commissioner Wilt seconded to endorse the letter supporting application for a Transportation Grant for Mosaic. Vote 3-0
- Commissioners signed a letter approving the FY2019 funds appropriation of \$177,081.00 to Council on Aging.
- Chairman Groom moved, Commissioner Wilt seconded to adjourn at 9:14 am. Vote 3-0

Karen Madison
Cowley County Clerk

RESOLUTION NO. 2020-05

**BEFORE THE BOARD OF COWLEY COUNTY COMMISSIONERS
OF COWLEY COUNTY, KANSAS**

**A RESOLUTION RESTRICTING ACCESS ON CERTAIN ROADS FROM
GENERAL USE TO AND FROM THE COUNTY LANDFILL/TRANSFER STATION.**

WHEREAS, roads closely surrounding the landfill have historically been misused and unkempt causing an undue burden on the adjacent property owners and creating a public nuisance; and;

WHEREAS, the County desires to assist the property owners in keeping the roadways clear of debris:

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
COWLEY COUNTY, KANSAS:**

1. That the following portions of township roads hereinafter described shall not be used by trucks or other commercial vehicles traveling to the Cowley County Landfill/Transfer Station to dispose of any waste, to-wit:
 - a. A portion of the E.R. Chapin Road (aka 232nd Road) beginning at US 77 Highway at the south line of Section 30, Township 33 south, Range 4 East, thence East to the southeast corner of Section 29, Township 33 South, Range 4 East;
 - b. A portion of the A.C. Holland Road (aka 71st Road) lying between Sections 31 and 32, Township 33 South, Range 4 East;
 - c. A portion of the D.D. Lewis Road (aka 71st Road) beginning at Wm. Holtby Road (aka 85th Road, aka Cowley 17) at the east line of Section 18, Township 34 South, Range 4 East, thence north approximately 2¼ miles to the northeast corner of Section 6, Township 34 South, Range 4 East;
 - d. A portion of the F.C. Chapin Road (aka 242nd Road) beginning at US 77 Highway at the south line of Section 31, Township 33 South, Range 4 East, thence east to the southeast corner of Section 32, Township 33 South, Range 4 East; and a portion of the Geo. Keffer Road (aka 242nd Road) beginning at said point of the southeast corner of Section 32, Township 33 South, Range 4 East, thence east to the W.S. Voris Road (aka Cowley 17, aka 85th Road) at the south line of Section 33, Township 33 South, Range 4 East.
2. That any trucks or other commercial vehicles leaving the Cowley County Landfill/Transfer Station shall not be allowed to utilize those roads listed in section one.
3. The Cowley County Public Works Department shall post these roads at appropriate points designated by them.

RESOLUTION NO. 2022-06

**BEFORE THE BOARD OF COWLEY COUNTY COMMISSIONERS OF COWLEY COUNTY,
KANSAS**

**A RESOLUTION RESTRICTING ACCESS ON CERTAIN ROADS FROM GENERAL USE TO
COMMERICAL THROUGH TRAFFIC.**

WHEREAS, roads closely located in the area listed below have historically been misused and unkempt causing an undue burden on the adjacent property owners and creating a public nuisance; and

WHEREAS, the County desires to assist the property owners in keeping the roadways clear of damage due to the heavy use outside of the original roadway expectations:

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF COWLEY COUNTY,
KANSAS:**

1. That the following portions of county roads hereinafter described shall not be used by commercial vehicles traveling through the area unless the commercial vehicle has a point of departure or destination from the roadway described below, to-wit:
 - a. Cowley County Road Number 3 between US 160 and 202nd Road, legally described as: Beginning at the Northwest Corner of Section 28, Township 32 South, Range 3 East, also being the Northeast Corner of Section 29, Township 32 South, Range 3 East, thence South 4 miles along the section lines between Sections 28, 29, 32, & 33, all in Township 32 South, Range 3 East, and along the section lines between Sections 4, 5, 8, & 9, all in Township 33 South, Range 3 East, to the Southwest Corner of Section 9, Township 33 South, Range 3 East, also being the Southeast Corner of Section 8, Township 33 South, Range 3 East, also being the point of termination.
2. The Cowley County Public Works Department shall post these roads at appropriate points designated by them.
3. That any person convicted of violating this Resolution is guilty of a public offense for disobeying a traffic control device under K.S.A. 8-1507, and shall be punishable upon conviction by a fine in an amount and in accordance with the provisions of K.S.A. 8-2118(c) and any amendments thereto.
4. Provided however, the prohibition in Section 1 shall not apply to any person whose residence abuts the aforementioned roads.
5. This Resolution shall be governed exclusively by and constructed in accordance with the applicable laws of the State, including but not limited to KSA 8-1912, et. seq.
6. This Resolution shall take effect and be in full force from and after its publication once in the official County newspaper and upon posting of signs.

ADOPTED AND APPROVED this 7th day of June 2022.

- Commissioners discussed Rural Water District 3 annexation area. There is currently no other rural water district in the area. Rural Water 3 would like to be the entity to provide the water to that parcel. Commissioner Groom moved, Vice Chairman Wilt seconded to approve the order as presented. Vote 3-0
- Lucas Goff, County Administrator, addressed Commissioners on behalf of Linda Misasi, Director CDDO, regarding FY22 Local Finance Plan. Chairman Voegelé moved, Commissioner Groom seconded to approve the FY22 Local Finance Plan as presented. Vote 3-0
- Commissioners discussed adding Cowley 5 (211th Road from 112th to 2nd Road) to the no commercial thru traffic route. After some discussion, Commissioner Groom moved, Vice Chairman Wilt seconded to approve the addition of 211th Road from 112th to 2nd Roads to be deemed as no commercial through route in reference to Resolution No. 1991-07. Vote 3-0
- Lucas Goff, County Administrator, addressed Commissioners regarding a request by Evergy to expand a certain easement on a piece of land owned by the County. Evergy is upgrading the infrastructure in the area and requires the additional easement. Commissioners have no concerns with beginning the process to get the additional easement to Evergy.
- Chairman Voegelé moved, Commissioner Groom seconded to recess into executive session with County Counselor and County Administrator for the purposes of discussion of matters regarding non-elected personnel issues facing the County pursuant to KSA 75-4319(b)(2) for consultation with County Counselor for the public body which would be deemed privileged in the attorney-client relationship and that the Board will resume the open meeting in the current location at 6:55 pm. Vote 3-0
- Chairman Voegelé stated there were no decisions made and no action taken as a result of executive session.
- Commissioners discussed a new pay plan to be formally brought before them at the February 1st meeting. There being no further business, Commissioner Groom moved, Chairman Voegelé seconded to adjourn at 7:00 pm. Vote 3-0