

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3p6iJLa>

March 1, 2021

The Board of Barton County Commissioners convened this 1st day of March 2021, at the Barton County Courthouse.

## *Members present:*

Kirby Krier, Commissioner, 1st District  
Barb Esfeld, Commissioner, 2nd District  
Shawn Hutchinson, Commissioner, 3<sup>rd</sup> District (*Chairman Pro-Tem*)  
James R. Daily, Commissioner, 4th District, Chairman  
Jennifer Schartz, Commissioner, 5th District  
Donna Zimmerman, County Clerk  
Phil Hathcock, County Administrator  
Patrick Hoffman, County Counselor

## **I. OPENING BUSINESS:**

Commissioner Daily called the meeting to order at 9:00 A.M.

Roll Call taken by County Clerk.

Commissioner Hutchinson moved to approve the agenda.  
Commissioner Esfeld seconded the motion.  
All voted aye. Motion passed.

Commissioner Schartz moved to approve the minutes of the February 22, 2021, Regular Meeting.  
Commissioner Esfeld seconded the motion.  
All voted aye. Motion passed.

## **II. APPROVAL OF APPROPRIATIONS: 13th Month – 5th Run:**

-An Accounts Payable Register for the 13th Month, 2020, will be submitted to the Commission.  
Thirteenth month expenditures include any unpaid bills for a product, service or utility that was received in 2020.

Commissioner Esfeld moved to approve the 13th Month – 5th Run appropriations for 2020 and authorize the Chairman to sign on behalf of the Commission.  
Commissioner Hutchinson seconded the motion.  
All voted aye. Motion passed.

## **III. APPROVAL OF APPROPRIATIONS:**

-An Accounts Payable Register will be submitted to the Commission for the period of February 16, 2021, and ending March 1, 2021.

Commissioner Hutchinson moved to approve appropriations for the period of February 16, 2021, to March 1, 2021. Authorize the Chairman to sign on behalf of the Commission.  
Commissioner Schartz seconded the motion.  
All voted aye. Motion passed.

## **IV. OLD BUSINESS:**

There was no old business.

## **V. NEW BUSINESS:**

**COUNTY CLERK'S OFFICE: Request for Approval – Added / Abated / Escaped / Refunded**

**Taxes:**

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3p6iJLa>

Dev Schmeidler, Deputy County Clerk, will present a listing of Added / Abated / Escaped / Refunded Taxes. Orders for these actions are kept on file in the County Clerk's Office. These are used to correct assessments and are requested by the County Appraiser's Office or the County Clerk's Office.

Donna Zimmerman, County Clerk, presented the following tax roll adjustments and year-to-date RECAP:

Property Types	Values	Escaped Taxes	Added / Abated	Refunds
BATCH #5				
Gas				
Oil				
Personal Property	-2,465		-\$354.92	
Real Estate	-10,458		-\$1,945.22	
16/20 M Trucks				
State Assessed Utilities				
Special Assessments				
Grand Totals	-12,923		-\$2,300.14	
Total Taxes	-\$2,300.14			
Total Records Selected	9			

Commissioner Schartz moved to approve the Listing of Added / Abated / Escaped / Refunded Taxes as reviewed by the County Appraiser and presented by the Clerk's Office. Direct the Chairman to sign on behalf of the Commission.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## 5. PROCLAMATION 2021-01: Colon Cancer Awareness Month, March, 2021:

-During National Colon Cancer Awareness Month, County citizens are encouraged to learn their family's health history, to be screened regularly for colorectal cancer and to see a health care provider for change in bowel habits, bleeding, unintended weight loss or other symptoms.

Sheriff Brian Bellendir said unfortunately Jennifer Schartz's family experienced a tragedy at the same time he was diagnosed with colon cancer. Colon cancer is the second leading cause of death by cancer following lung cancer. Colon cancer is treatable if detected early. Bellendir said due to COVID, a lot of people are not getting tested and is afraid will see the mortality numbers rise.

Commissioner Jennifer Schartz said her family started down this path 8 years ago. Schartz said colonoscopies are not that bad and early detection is very important. Schartz said her son was 26 years old when he was diagnosed and unfortunately it was late detection. Due to his diagnosis, everyone in their family got tested and that is what led them to know about Shannon's diagnosis and early detection. Schartz said she is grateful she is able to talk about this as it helps with the grief process.

Chris Komarek, Ellinwood City Manager, said a year after Sheriff Bellendir's diagnosis, his 25-year-old son was diagnosed. Komarek said it will be 4 years since his surgery and he is doing well. A year after his surgery, he went for his colonoscopy and found out he had colon cancer. Lucky it was found early.

Commissioner Krier said COVID has caused a lot of people to not test. A lot of hospitals require a COVID test before a colonoscopy and people may not want to do that.

Commissioner Schartz moved to adopt Proclamation 2021-01, Colon Cancer Awareness Month, March, 2021.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3p6iJLa>

## **PROCLAMATION 2021-02: Severe Weather Awareness Week, March 1 – 5, 2021:**

-Severe Weather Awareness Week, March 1 – 5, 2021, is a cooperative effort of the National Weather Service and the Kansas Emergency Management Association. Barton County Emergency Management would like to remind everyone to be prepared for the spring severe weather season. The proposed Proclamation encourages individuals, businesses, and communities to plan and prepare for an emergency.

Amy Miller, Emergency Manager, said people need to respond quickly to severe weather. The statewide tornado drill is scheduled for Tuesday at 10am. If people decide because of COVID to not gather, they should at least review their plans. Miller encouraged everyone to practice social distancing and wear masks during the drill.

Commissioner Daily said they do not have a siren in his rural area. Daily asked the Sheriff if they do alert routes in the rural housing developments. Sheriff Bellendir said if they have enough personnel and time, they will alert. Bellendir said people used to listen to their scanner to monitor severe weather, but now with 800MHz, most people are unable to. Bellendir noted we did not have a storm season last year.

Amy Miller said outdoor warning devices are not meant to be heard indoors. Hopefully, anyone who is outdoors is watching the storm. Miller encouraged everyone to listen to the weather and also listen to NOAA weather radios if available. No tornado warnings were issued last year.

Commissioner Daily asked about training. Miller said severe weather training will be virtual this year. Go to NWS Wichita and look for Storm Fury on the Plains for their schedule.

Commissioner Hutchinson moved to adopt Proclamation 2021-02, Severe Weather Awareness Week, March 1 – 5, 2021.

Commissioner Scharz seconded the motion.  
All voted aye. Motion passed.

## **D. RESOLUTION 2021-06: Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land:**

-Environmental Management received an application from AMG Technology Investment Group dba Nextlink for the construction of a 120' monopole type telecommunications tower on a parcel of land owned by the Debra S. and John Ninemire Living Trust. The parcel is located in the NE/4, Section 10, Township 17 South, Range 14 West. A Public Hearing was held on February 9, 2021, by the Barton County Planning Commission, to consider authorizing a Conditional Land Use permit. The Barton County Planning Commission unanimously recommended that the County Commissioners approve the request.

Judy Goreham, Environmental Manager, said these are the last of the tower applications received from Nextlink. Jim Welch from the planning commission is present this morning and has served over 20 years on the board. This tower is located north and west of Hoisington and is the only one not located on a residential parcel. This tower is not required to have any lighting since it is under 200 feet tall and meets all set-back requirements. Tower number two had real concerns on pilot safety for crop sprayers or pilots flying the pipelines. Goreham said with tower number two, it was nestled in trees and surrounded by ag land that is crop dusted. The planning commission recommended the condition that the top third of the tower be painted for safety. Goreham said Nextlink does not want to paint the other towers, but they will if necessary. They are most concerned with paint maintenance as the equipment would have to be removed in order to paint. The planning commission recommends approving the tower as presented with no paint.

Jim Welch, Planning Commissioner, said if they approve this it is just another means to improve the quality of life for their citizens.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3p6iJLa>

Commissioner Daily said if the pilots are just as concerned with this tower as the other towers, why wouldn't we require the paint. Judy Goreham said Mr. Seawald with Tony's Aerial Spraying is the only complaint she is aware of. His concern was not about spraying ground, but whether or not it was dangerous for air ambulance and pipeline monitor flying.

Commissioner Hutchinson said they have asked for weeks how much the paint will cost and said they still do not know. Hutchinson said as far as he is concerned, the three items can be tabled until that information is made available.

Goreham said the initial paint cost is not high, but maintenance will be. Hutchinson said if we knew the amounts, we could possibly have discussed splitting the cost with them. Goreham said the maintenance cost is the issue and said Mr. Randolph said he feels it could need repainted as often as every 2 years. Goreham said the Commission can override the planning commission and require paint; you can send back to the planning commission for more study which she feels is a waste of time or you can adopt as presented.

Commissioner Schartz said she would hate for someone to hit one of the towers and would very much be in favor of a uniform resolution.

Commissioner Daily asked where we stand if we pick one tower and not the other. Patrick Hoffman said there is no negligence if you pick one tower and not the others.

Commissioner Esfeld said with respect to the planning commission and we appreciate all you've done in light of everything that we've heard today moved to adopt Resolution 2021-06, Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land that's in there and this resolution allows for the painting of the top one-third, the Ninemire property.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

Commissioner Hutchinson said if they would have had the amounts this might have gone a little differently. Goreham said she told them that.

## **E. RESOLUTION 2021-07: Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land:**

-Environmental Management received an application from AMG Technology Investment Group dba Nextlink for the construction of a 120' monopole type telecommunications tower on a parcel of land owned by William and Delphine Hickey. The parcel is located in the SE/4, Section 2, Township 18 South, Range 14 West. A Public Hearing was held on February 9, 2021, by the Barton County Planning Commission, to consider authorizing a Conditional Land Use permit. The Barton County Planning Commission unanimously recommended that the County Commissioners approve the request.

Commissioner Hutchinson moved to adopt Resolution 2021-07, Resolution for the Approval of a Conditional Land Use Permit for a Described Tract of Land with the condition that they must paint the top third of the tower with aerial paint.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

Judy Goreham said this tower is on the Hickey property. It is a residential parcel located off of the Keystone blacktop south and west of Hoisington. There are no spray crops anywhere near it and it meets all of the zoning requirements.

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams** at the following link: <https://bit.ly/3p6iJLa>

## **RESOLUTION 2021-08: Resolution for Approval of Conditional Land Use Permit for a Described Tract of Land:**

-Environmental Management received an application from AMG Technology Investment Group dba Nextlink for the construction of a 120' monopole type telecommunications tower on a parcel of land owned by Kevin and Erica Rose. The parcel is located in the NW/4, Section 8, Township 16 South, Range 13 West. A Public Hearing was held on February 9, 2021, by the Barton County Planning Commission, to consider authorizing a Conditional Land Use permit. The Barton County Planning Commission unanimously recommended that the County Commissioners approve the request.

Commissioner Hutchinson moved to adopt Resolution 2021-08, Resolution for the Approval of Conditional Land Use Permit for a Described Tract of Land with the condition that they paint the top one-third of the tower with aerial paint.

Commissioner Esfeld seconded the motion.

All voted aye. Motion passed.

Judy Goreham said this tower will be on Kevin and Erica's Rose's property which is a 40-acre tract of land north of Susank. Meets all of the zoning requirements.

Goreham asked for a work study to sit down to talk about making some standardized changes. Goreham said as the Zoning Administrator, she wants to follow regulations.

## **G. KANSAS DEPARTMENT OF TRANSPORTATION: Federal Funds Exchange:**

-The Kansas Department of Transportation (KDOT) is offering to exchange the annual Federal Funds distribution for State funds at an exchange rate of ninety percent. The County has the option of using the full share of Federal funds in the amount of \$211,820.54 on a project that would be designed using all federal requirements and restrictions, or accepting ninety percent of that amount and having the freedom to use the money on road and bridge work at the County's discretion without following Federal requirements. If the exchange is accepted, the amount available to Barton County is \$190,638.48.

Barry McManaman, County Engineer, said Barton County has taken advantage of the Federal Funds Exchange for a number of years and noted most counties do this.

Commissioner Daily said for clarification, if we take the 90%, it can be used by the Road and Bridge Department and divided up as we see fit. McManaman said yes and noted \$190,000 is not a lot of money for a bridge project.

Commissioner Schartz said we wouldn't have to follow all of the federal red tape if we accepted 90%. McManaman said there are other expenses we would incur if we accepted the full project. They would inspect the project and sometimes they determine additional upgrades. McManaman said design costs are also less.

Commissioner Krier moved to accept the KDOT federal funding exchange rate of ninety percent making the amount available to Barton County \$190,638.48. Authorize the County Engineer to submit the Request to Exchange Federal Funds to KDOT. Once received, said monies are to be deposited in the Road and Bridge Fund, State Funds Received Line, 002-00-4325.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

## **VI. ENDING BUSINESS:**

- 1. Announcements**
- 2. Appointments**

# Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email [clerk@bartoncounty.org](mailto:clerk@bartoncounty.org)

Meetings Live Streamed through **Microsoft Teams**® at the following link: <https://bit.ly/3p6iJLa>

## II. OTHER BUSINESS:

- Comm Krier: Event last week where Phil Hathcock and Karen Winkelman arranged for 200 doses to be administered at each of our three hospitals. The community and the hospitals were very happy.
- Phil Hathcock: To date, 4,314 doses have been administered through the Health Department. 940 administered last Wednesday in 4.5 hours. Thursday, they divided into 3 teams and administered 200 doses at each hospital. Went well, especially in Hoisington and Ellinwood. Great Bend had some lags in getting people in. Commissioner Krier was out helping both days.
- Comm Krier: We administered approximately 1,550 doses in total.
- Comm Schartz: Asked how many doses we expect this week.
- Hathcock: 500 doses have been shipped and waiting on commitment on booster doses. The next Saturday event is scheduled for March 13<sup>th</sup>.
- Comm Krier: The school district had 40 teachers get vaccinated at Hoisington. Shout out to Mandy Hoffman who helped coordinated it in Hoisington. Phil and Karen did a fantastic job.
- Comm Esfeld: Where were the events at?
- Hathcock: Hoisington's event was at the Activity Center. Ellinwood's event was at the hospital and the one held in Great Bend was held at the church across from the hospital.
- Comm Esfeld: Where will the March 13<sup>th</sup> event be held?
- Hathcock: It will be held at the Expo III Fairgrounds.
- Comm Esfeld: Contacted by the racetrack board that there are some possible concerns.
- Hathcock: Coordinating through Christina Hays and she assures us there are no concerns.
- Sheriff Bellendir: Opening up the jail for visitation effective next week and will also open the North Office Building today.

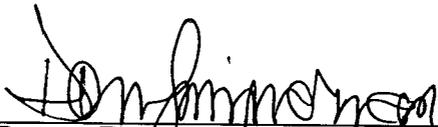
## VIII. ADJOURN.

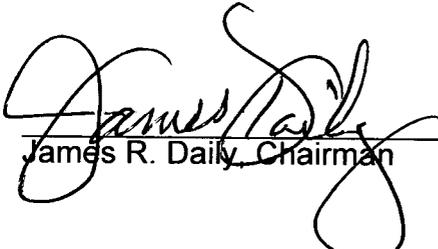
Commissioner Schartz moved to adjourn at 10:11 A.M.

Commissioner Hutchinson seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
\_\_\_\_\_  
Donna Zimmerman  
Barton County Clerk

  
\_\_\_\_\_  
James R. Daily, Chairman

**PROCLAMATION 2021-01**

**COLON CANCER AWARENESS MONTH**  
March, 2021

**WHEREAS**, the death rate from colorectal cancer has been steadily declining for both men and women for several decades. One reason is because more people are getting screened which helps detect cancers early, when treatment may be more successful; and

**WHEREAS**, men and women 45 or older, or those with a family history of colorectal cancer or polyps, should talk to their health care providers about their risk for colorectal cancer and screening, even if they are asymptomatic; and

**WHEREAS**, the Affordable Care Act (ACA) requires both private insurers and Medicare to cover the costs of colorectal cancer screening tests, because these tests are recommended by the United States Preventive Services Task Force (USPSTF). Citizens are urged to review their health insurance plan for specific details and to contact the insurer with questions related to colorectal cancer screenings.

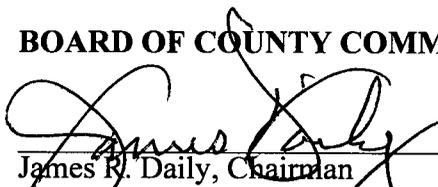
**NOW, THEREFORE, BE IT PROCLAIMED** by the Board of County Commissioners of Barton County, Kansas, that Barton County joins in the observation of Colon Cancer Awareness Month, March, 2021; and

**FURTHER**, that the Commission endorsed the message of the American Cancer Society, and encourages all citizens to learn their family's health history, to be screened regularly for colorectal cancer and to see a health care provider for change in bowel habits, bleeding, unintended weight loss or other symptoms; and

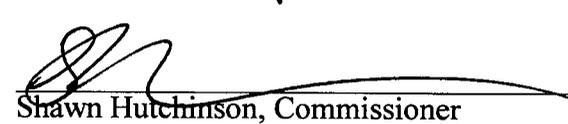
**FURTHER**, that the Commission urges all citizens to be mindful of their health by observing safety practices and to bring their health concerns to their own medical care provider or the Barton County Health Department.

**Dated** this 1<sup>st</sup> day of March, 2021.

**BOARD OF COUNTY COMMISSIONERS**

  
James R. Daily, Chairman

  
Barb Esfeld, Commissioner

  
Shawn Hutchinson, Commissioner

  
Kirby Krier, Commissioner

  
Jennifer Schartz, Commissioner

**ATTEST:**

  
Donna Zimmerman,  
County Clerk



**PROCLAMATION 2021-02**

**SEVERE WEATHER AWARENESS WEEK**  
**March 1 - 5, 2021**

WHEREAS, severe spring weather in Kansas includes tornadoes, flooding and flash floods, severe thunderstorms, large hail, lightning, wildfires and drought; and

WHEREAS, all citizens are encouraged to take responsibility for their personal safety, listen for severe weather warnings, and develop Business and Family Safety Plans; and

WHEREAS, Barton County citizens are reminded that severe weather information is provided by advisories, watches and warnings and provided to the public on radio, television, text messages, Internet, and NOAA Weather Radio; and

WHEREAS, individuals and families are encouraged to Build a Go Kit – with water, non-perishable food, flashlight, whistle, blanket, medical supplies, and other personal care items for every family member, including their pets; and

WHEREAS, everyone should also plan for after the storm by having a home inventory, contact numbers for insurance companies, and a family communications plan; and

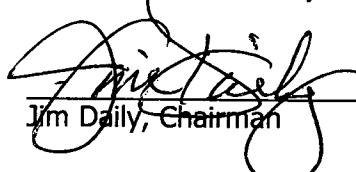
WHEREAS, all citizens, businesses and schools are encouraged to prepare and practice personal safety plans, and to participate in the Tornado Drill scheduled for 10:00 a.m. on Tuesday, March 2, 2021. And if citizens are unable to participate safely while following local health and safety guidelines, then they are asked to consider participate by sheltering-in-place or discussing sheltering options/plans with co-workers and/or family members.

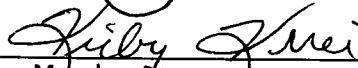
NOW THEREFORE BE IT PROCLAIMED, that the Board of County Commissioners of Barton County, Kansas, hereby declares the week of March 1 through 5, 2021, as Severe Weather Awareness Week to encourage them to plan and prepare for a life-threatening severe weather event.

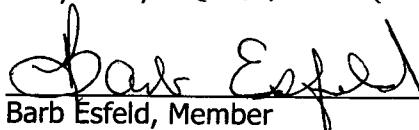
ADOPTED this 1st day of March, 2021.



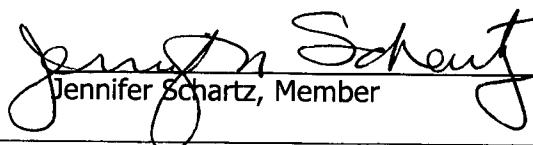
**BOARD OF COUNTY COMMISSIONERS**  
**BARTON COUNTY, KANSAS**

  
\_\_\_\_\_  
Jim Daily, Chairman

  
\_\_\_\_\_  
Kriby Krier, Member

  
\_\_\_\_\_  
Barb Esfeld, Member

  
\_\_\_\_\_  
Shawn Hutchinson, Member

  
\_\_\_\_\_  
Jennifer Scharz, Member

**RESOLUTION 2021-06**

**RESOLUTION FOR APPROVAL OF CONDITIONAL LAND USE PERMIT  
FOR A DESCRIBED TRACT OF LAND**

**WHEREAS**, on January 28, 2013, the Barton County Planning Commission recommended to the Board of Barton County Commissioners the adoption of the Barton County Zoning Regulations, including the Official Zoning Map of Barton County, Version II. Said recommendation resulting in the adoption of the current version of the Zoning Regulations; and

**WHEREAS**, on the 9<sup>th</sup> day of February 2021, the Planning Commission approved a recommendation to the Board of County Commissioners to take action on conditional land use of a certain tract of land; and

**WHEREAS**, the Barton County Planning Commission recommends that:

*The tract of land situated in the NE/4, Section 10, Township 17 South, Range 14 West in the County of Barton, State of Kansas, more specifically located as follows: 000 NW 150 Rd, Hoisington, KS 67544.*

*Currently zoned as Agricultural District shall be Approved for AMG Technology Investment Group dba Nextlink a Conditional Land Use Permit to construct a Telecommunications Tower in the general north east corner of above referenced parcel located approximately 1/2 mile north of NW 150 Rd / N US 281 HWY on the west side – As said conditional use is allowed under the Barton County Zoning Regulations, Version II, Article III, District Regulations, Part 1. Agricultural District, Section 3-101 (B) Conditional Uses (2) Broadcasting and telecommunications towers.*

**NOW, THEREFORE**, the Board of County Commissioners of Barton County, Kansas, hereby adopts the recommendation of the Barton County Planning Commission as contained herein with the addition;

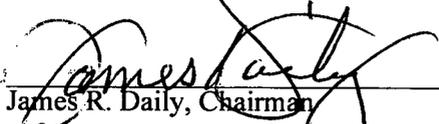
The conditional land use permit for the property, currently zoned as Agricultural District, shall be Approved with a condition of approval that the tower meets the requirements of KS Statute 66-1281 which requires aviation paint be used on the top 1/3<sup>rd</sup> of the tower for AMG Technology Investment Group dba Nextlink. and

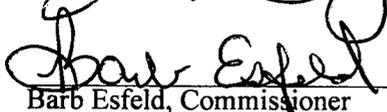
**FURTHER**, that the Secretary of the Planning Board is hereby directed to have said revision reflected in the official zoning records of Barton County and that a method be established for tracking this and future actions taken in zoning areas.

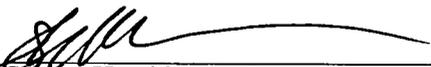
**MOTION MADE AND ADOPTED** by the Board of County Commission of Barton County, Kansas, this 1<sup>st</sup> day of March 2021.

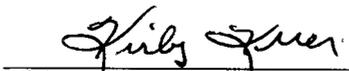
**Barton County Commissioners present, and voting were:**

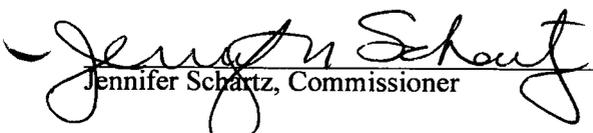
**BOARD OF COUNTY COMMISSIONERS**

  
James R. Daily, Chairman

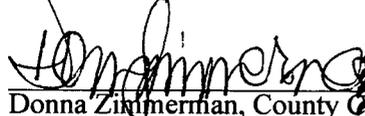
  
Barb Esfeld, Commissioner

  
Shawn Hutchinson, Commissioner

  
Kirby Klier, Commissioner

  
Jennifer Schartz, Commissioner

**ATTEST:**

  
Donna Zimmerman, County Clerk



**APPROVED AS TO FORM:**

  
Patrick Hoffman, County Counselor

**RESOLUTION 2021-07**

**RESOLUTION FOR APPROVAL OF CONDITIONAL LAND USE PERMIT  
FOR A DESCRIBED TRACT OF LAND**

**WHEREAS**, on January 28, 2013, the Barton County Planning Commission recommended to the Board of Barton County Commissioners the adoption of the Barton County Zoning Regulations, including the Official Zoning Map of Barton County, Version II. Said recommendation resulting in the adoption of the current version of the Zoning Regulations; and

**WHEREAS**, on the 9<sup>th</sup> day of February 2021, the Planning Commission approved a recommendation to the Board of County Commissioners to take action on conditional land use of a certain tract of land; and

**WHEREAS**, the Barton County Planning Commission recommends that:

*The tract of land situated in the SE/4, Section 2, Township 18 South, Range 14 West in the County of Barton, State of Kansas, more specifically located as follows: 328 NW 100 Rd, Hoisington, KS 67544.*

*Currently zoned as Agricultural District shall be Approved for AMG Technology Investment Group dba Nextlink a Conditional Land Use Permit to construct a Telecommunications Tower in the general south west corner of above referenced parcel located 3 ½ miles west of Hoisington, KS on W Keystone Rd on the north side – As said conditional use is allowed under the Barton County Zoning Regulations, Version II, Article III, District Regulations, Part 1. Agricultural District, Section 3-101 (B) Conditional Uses (2) Broadcasting and telecommunications towers.*

**NOW, THEREFORE**, the Board of County Commissioners of Barton County, Kansas, hereby adopts the recommendation of the Barton County Planning Commission as contained herein with the addition;

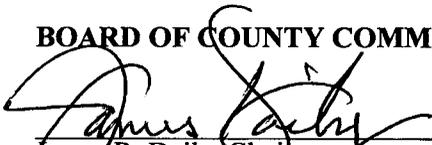
The conditional land use permit for the property, currently zoned as Agricultural District, shall be Approved with a condition of approval that the tower meets the requirements of KS Statute 66-1281 which requires aviation paint be used on the top 1/3<sup>rd</sup> of the tower for AMG Technology Investment Group dba Nextlink. and

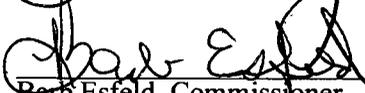
**FURTHER**, that the Secretary of the Planning Board is hereby directed to have said revision reflected in the official zoning records of Barton County and that a method be established for tracking this and future actions taken in zoning areas.

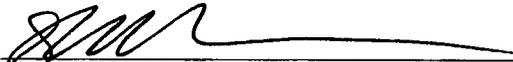
**MOTION MADE AND ADOPTED** by the Board of County Commission of Barton County, Kansas, this 1<sup>st</sup> day of March 2021.

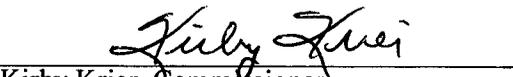
**Barton County Commissioners present, and voting were:**

**BOARD OF COUNTY COMMISSIONERS**

  
James R. Daily, Chairman

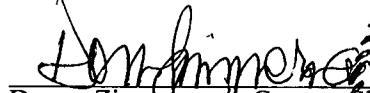
  
Barb Esfeld, Commissioner

  
Shawn Hutchinson, Commissioner

  
Kirby Krier, Commissioner

  
Jennifer Schartz, Commissioner

ATTEST:

  
Donna Zimmerman, County Clerk



APPROVED AS TO FORM:

  
Patrick Hoffman, County Counselor

**RESOLUTION 2021-08**

**RESOLUTION FOR APPROVAL OF CONDITIONAL LAND USE PERMIT  
FOR A DESCRIBED TRACT OF LAND**

**WHEREAS**, on January 28, 2013, the Barton County Planning Commission recommended to the Board of Barton County Commissioners the adoption of the Barton County Zoning Regulations, including the Official Zoning Map of Barton County, Version II. Said recommendation resulting in the adoption of the current version of the Zoning Regulations; and

**WHEREAS**, on the 9<sup>th</sup> day of February 2021, the Planning Commission approved a recommendation to the Board of County Commissioners to take action on conditional land use of a certain tract of land; and

**WHEREAS**, the Barton County Planning Commission recommends that:

*The tract of land situated in the NW/4, Section 8, Township 16 South, Range 13 West in the County of Barton, State of Kansas, more specifically located as follows: 83 NW 220 Rd, Hoisington, KS 67544.*

*Currently zoned as Agricultural District shall be Approved for AMG Technology Investment Group dba Nextlink a Conditional Land Use Permit to construct a Telecommunications Tower in the general south west corner of above referenced parcel located 3 miles north of Susank, KS on the Susank Blacktop and approximately 3/4 miles west on NW 220 Rd on the south side – As said conditional use is allowed under the Barton County Zoning Regulations, Version II, Article III, District Regulations, Part 1. Agricultural District, Section 3-101 (B) Conditional Uses (2) Broadcasting and telecommunications towers.*

**NOW, THEREFORE**, the Board of County Commissioners of Barton County, Kansas, hereby adopts the recommendation of the Barton County Planning Commission as contained herein with the addition;

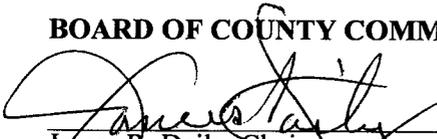
The conditional land use permit for the property, currently zoned as Agricultural District, shall be Approved with a condition of approval that the tower meets the requirements of KS Statute 66-1281 which requires aviation paint be used on the top 1/3<sup>rd</sup> of the tower for AMG Technology Investment Group dba Nextlink. and

**FURTHER**, that the Secretary of the Planning Board is hereby directed to have said revision reflected in the official zoning records of Barton County and that a method be established for tracking this and future actions taken in zoning areas.

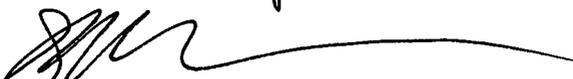
**MOTION MADE AND ADOPTED** by the Board of County Commission of Barton County, Kansas, this 1<sup>st</sup> day of March 2021.

**Barton County Commissioners present, and voting were:**

**BOARD OF COUNTY COMMISSIONERS**

  
James R. Daily, Chairman

  
Barb Esfeld, Commissioner

  
Shawn Hutchinson, Commissioner

  
Kirby Krier, Commissioner

  
Jennifer Schartz, Commissioner

**ATTEST:**

  
Donna Zimmerman, County Clerk



**APPROVED AS TO FORM:**

  
Patrick Hoffman, County Counselor