

# JOHNSON COUNTY PLANNING COMMISSION

Zoom Webinar

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## MINUTES OF REGULAR MEETING

January 12, 2021

5:00 p.m.

### A. CALL TO ORDER

A meeting of the Planning Commission of Johnson County, Kansas, was convened at 5:00 p.m. on Tuesday, January 12, 2021, and was called to order by Chris Iliff, Chairman, with the following members present and participating; to-wit: Jason Meier, Pete Oppermann, Dave Johns, Roxanne Morse, James Neese, and Randy Hutchins. Absent were Dennis Bollin, Roger Mason, George Lund, Henry Deters and Mark Huggins. Also present were Jay Leipzig and Sean Pendley, and Karen Miller, Johnson County Planning Department.

Chairman Iliff: This is a special meeting. I am required to read a certain notice at the beginning:

Due to the COVID-19 situation, we are taking action to minimize attendance at the Zoning Board and Planning Commission meetings, and we will be conducting the December Planning Commission meeting *Online Only* – and of course, that applies to this special meeting now, in January, using Zoom Webinar. Any person desiring to give evidence, comment or testimony regarding an agenda item is encouraged to call or email the Planning Department. It's a little too late to do that now, so I don't know that that's relevant. Leslie, may I ask you, is there anything else that I'm supposed to read?

Ms. Davis: I think that's good. We don't have anybody from the public here anyway.

Chairman Iliff: All right, good.

### B. APPROVAL OF AGENDA – None to approve.

### C. APPOINTMENT OF TWO PLANNING COMMISSIONERS TO THE 2021 JOHNSON COUNTY CHARTER COMMISSION

The current Home Rule Charter establishes the procedure to appoint the new Charter Commission. The new Charter Commission must be formed by appointing members within 30 days of the 10 year anniversary of the effective date of the current charter. State statute establishes the make-up of the membership of the Charter Commission and requires that two members of the Charter Commission shall be appointed by the Planning Commission and that such members shall be residents of the unincorporated areas of Johnson County.

Chairman Iliff: This is a special meeting that is called for the purpose of appointing two members of the Planning Commission to the Charter Commission. The Home Rule Charter that Johnson County operates under is now 20 years old. It was renewed and revised ten years ago, on January 11<sup>th</sup>. We are required to submit the names of two members of the Planning Commission. There is no particular method for the selection, so what we did at the last regular meeting of the Planning Commission was to put out there that they were looking for volunteers. Unfortunately, I had not read the Charter Commission appointments requirements at the time

that we put that out there, and that is, there are only two slots available. We did have a couple of volunteers during that period of time. It turns out that only one of those volunteers lives in the unincorporated area, which is one of requirements. It says that for the two seats coming from the Johnson County Planning Commission, two members appointed by the Johnson County Planning Commission shall be residents of the unincorporated area. So, that limits the people who can do it. To that, Randy Hutchins was the member from the unincorporated area who raised his hand early and also sent along to me a long list of good reasons why he should be a member, and I will tell you that I was asked by Chairman Eilert to serve on the committee. So therefore, I'm willing to serve. Randy is willing to serve. If it's okay with the other members of the Planning Commission who are present, we would like to take a vote naming Randy and myself as the members to serve on the Johnson County Charter Commission. If there are objections to that procedure, please let me know, and we can take a step back.

Ms. Davis: Should I take roll?

Chairman Iliff: Leslie, please do take roll. That would be good.

[Roll call]

Ms. Davis: Thank you. Sorry for interrupting.

Chairman Iliff: That's all right, Leslie. That's good, it's on the record now. I think I was saying, are there any objections to the appointment of Randy and myself to the Johnson County Charter Commission?

Comm. Neese: Should there be a motion made?

Chairman Iliff: Jim, yes. I'm going to ask for that in just a second. I just wanted to make sure that, since we don't have a procedure as such for doing this, I just wanted to make sure that, if anybody objects to Randy and me serving, that they make it known. We can put your name up and have a vote if you'd like. Hearing no objections, then, do I hear a motion to appoint Randy Hutchins and Chris Iliff to the Johnson County Charter Commission?

*Motion by Comm. Neese, seconded by Comm. Meier, to appoint Randy Hutchins and Chris Iliff to the Johnson County Charter Commission. Motion passed unanimously.*

Chairman Iliff: That concludes the business of our meeting, and I appreciate everyone attending.

Comm. Neese: Chris?

Chairman Iliff: Yes, Jim.

Comm. Neese: Would you give a quick overview of what your duties are going to be?

Chairman Iliff: Yeah, I sure can.

Comm. Neese: Just a summary.

Chairman Iliff: The Home Rule Charter – I'm going to hold up a copy here – is a multi-page document that was adopted 20 years ago for the first time. It was basically invoking a statute, KSA 19-2684, that permits counties to exert authority over their own business in such a way that they can do it differently than other counties do. It gives them flexibility to do a number of things. For example, under Article 1, there is a "Powers of the County," and Johnson County has enumerated its specific powers that it wishes to exercise under Home Rule and how those powers are exercised and the construction of that clause. It also has a determination there on the composition, "The Commission shall determine how the composition of the Home Rule Charter

shall take place.” Also, for example, in the original one, I think the original one ten years ago decided that we would have seven commissioners, six from independent districts, and one at-large commissioner who is the chair. Terms of the office are enumerated. There are certain prohibitions. The initial commissioner districts are specified, and a number of other things can be done.

Jim, one of the issues that I know that will come up is that right now our elections are non-partisan. People are not elected as Republicans or Democrats, or as Independents or Libertarians. They run without being a member of the party. At least, it doesn’t show up on the ballots. It is being considered, several of the Commissioners have said that they would like to see that change, so that people would run as members of the Democrat or the Republican party. Jay, what other issue are you aware of that might be considered by the Charter Commission?

Mr. Leipzig: That is it for me. I am not aware of anything in particular. I know that it’s an important committee. There’s a lot of work, but it’s going to be a long process.

Chairman Iliff: Right. Another issue is, we do not elect a treasurer or several other administrative positions, including the County Manager, and I know that there has been some talk among the County Commissioners that they would like to see some of those positions as elected rather than appointed positions. So, that will be an issue that will be considered by the Home Rule Charter Commission. I think that the purpose of the initial organizational meeting will be to sit down, determine how many meetings we’re going to have, whether there will be committees.

I think there will be committees, and there may be opportunities for other members of the Planning Commission to serve on those committees. If that becomes the case, we will let that information be known to everybody who is on the Planning Commission as soon as those determinations have been made. We have a number of governing boards, such as the county library system, the Johnson County Parks and Recreation Commission, the Mental Health Center, the Developmental Support Center, the Johnson County Airport Commission. All of those things are organized under our Home Rule Charter, and they can be changed. So, if you’re interested, you might get in touch with Leslie and see if she can send you a copy of the Home Rule Charter, and that will give you a fuller explanation of what’s involved.

Comm. Neese: What that group does, do they refer to the County Commissioners and the County Commissioners ultimately vote on any worthwhile or important issue?

Chairman Iliff: Correct.

Comm. Neese: Okay, you’re an advisory board then.

Chairman Iliff: Yeah.

Comm. Neese: Okay, thank you.

Chairman Iliff: Okay. Any other questions or comments?

## **D. UPDATES/OTHER BUSINESS**

## **E. ADJOURNMENT**

Chairman Iliff: Do I hear a motion to adjourn?

Mr. Leipzig: Mr. Chair, may I make one quick announcement?

Chairman Iliff: Yes.

Mr. Leipzig: Just wanted to remind those that are on the Zoom call today that we do have our regular meeting in January, which is scheduled for January 26<sup>th</sup>, at 5:45 in the afternoon. Generally, we try to have some kind of a training opportunity at that meeting in January. However, this year we do have a potential large-scale solar farm application that we would like to get some additional clarification on from the Planning Commission and just general discussion about this potential application, so we will be discussing that on Tuesday, the 26<sup>th</sup>, but I did want to you all, to be aware of that, and that meeting comes up at 5:45, for our regular meeting in January.

Chairman Iliff: I would say, I will be out of town for that meeting, but if I have Zoom capabilities I will be there, but Randy, I will just give you a heads-up that you might need to step in as the Chair.

Commissioner Hutchins: Very good. Thank you.

Mr. Leipzig: It will be through Zoom.

Chairman Iliff: Okay. Good. Motion to adjourn? Somebody just say so moved.

Comm. Meier: So moved.

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*Chris Iliff, Chairman*

**ATTEST:**

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*Secretary to the Board*