

We encourage everyone to view the meeting live via YouTube.

***Leavenworth County  
Board of County Commissioners  
Regular Meeting Agenda***

300 Walnut Street, Suite 225

Leavenworth, KS 66048

July 8, 2026

9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENT PRAYER
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be allowed at the beginning of each meeting and opened again at the end of the meeting after all regularly scheduled agenda items. Comments shall be limited to five minutes per person; however, commenters may speak for up to five minutes at both the beginning and end of each meeting. There should be no expectation of interaction by the Commission during this time. Everyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 a.m. the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow-up if needed prior to the meeting. During times when the Courthouse is closed to the general public anyone wishing to make public comment will provide their comments in writing no later than 8:00 a.m. the Monday immediately preceding the meeting. The comments will be included and distributed with the normal meeting packet.
- V. ADMINISTRATIVE BUSINESS:
  - a) County Clerk report
  - b) Budget discussion
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a

member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.

- a) Approval of the minutes of the meeting of July 1, 2026
- b) Approval of the schedule for the week of July 13, 2026
- c) Approval of the check register
- d) Approve and sign the OCB's
- e) Approval of Resolution 2026-11, special use permit for RJ Farms

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve the construction contract with Norfolk Contracting for the replacement of F-47 culvert on Leavenworth Road in the amount of \$260,751.85 with a 10% contingency.
- b) Consider a motion to appoint Byron McFee to the Board of Building Appeals to fill one of two vacant seats.

VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.

- a) Executive session if needed

IX. ADDITIONAL PUBLIC COMMENT

X. ADJOURNMENT

# **LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE**

**Monday, July 6, 2026**

**Tuesday, July 7, 2026**

**Wednesday, July 8, 2026**

9:00 a.m.      Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

**Thursday, July 9, 2026**

11:30 a.m.      LCDC meeting

**Friday, July 10, 2026**

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

\*\*\*\*\*July 1, 2026 \*\*\*\*\*

The Board of County Commissioners met in regular session on Wednesday, July 1, 2026. Commissioner Smith, Commissioner Culbertson, Commissioner Reid, Commissioner Dove and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Misty Brown, County Counselor; John Jacobson, Planning and Zoning Director; TerriLois Todd, Register of Deeds

**PUBLIC COMMENT:**

Linda Sturgeon, Judy Smyth, Tammy Patton, Jim Karleskint, Ted Grinter, Joan Murnane, Crystal Blackdeer, Sarah George, Julie Downes, Mary Wood and Arulio Haro commented.

**ADMINISTRATIVE BUSINESS:**

*A motion was made by Commissioner Culbertson and seconded by Commissioner Smith to move that the Board recess for a closed executive meeting to consult with our attorneys and discuss confidential matters related to the legal interests of the County which would be deemed privileged in the attorney-client relationship as justified by K.S.A. 75-4319 (b)(2) and that Board resume open meeting at 10:30 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Mike Smith, Jeff Culbertson, Vanessa Reid, Willie Dove, Mike Stieben, County Administrator Mark Loughry, County Counselor Misty Brown and Assistant County Counselor Anne Marie Yatsula.*

*Motion passed, 5-0.*

The Board returned to regular session at 10:30 a.m. No action was taken and no decisions were made. The subject was limited to matters related to specific nonelected personnel.

Public Comment continued : Arulio Haro, Dee Karleskint, David Todd and Norma Brockenberry, commented.

Mark Loughry commented about property rights and county regulations.

Commissioner Culbertson spoke about Courthouse parking.

Commissioner Smith spoke at the International Officer's Day yesterday.

*A motion was made by Commissioner Culbertson and seconded by Commissioner Smith to accept the consent agenda for Wednesday, July 1, 2026.*

*Motion passed, 5-0.*

TerriLois Todd presented Board Order 2026-8 for approval.

*A motion was made by Commissioner Smith and seconded by Commissioner Culbertson to approve Board Order 2026-8, transferring funds from the Register of Deeds Tech Fund to the Board of County Commissioners Equipment Reserve Fund in the amount of \$55,998.00 for the County Appraiser's Eagleview aerial photography contract.*

*Motion passed, 5-0.*

John Jacobson presented Resolution 2026-12, a rezone request from RR-5 to RR-2.5.

*A motion was made by Commissioner Smith and seconded by Commissioner Dove to find that the rezoning request complies with the Golden Factors and move to adopt Resolution 2026-12 and approve the rezoning as outlined in Case DEV-26-068 based on the recommendation of the Planning Commission and the findings set forth in the staff report.*

*Motion passed, 5-0.*

Mr. Jacobson presented Resolution 2026-11, a request for a special use permit for RJ Farms.

*A motion was made by Commissioner Culbertson and seconded by Commissioner Smith that the request for a special use permit complies with the Golden Factors and move to adopt Resolution 2026-11 and conditionally approve the special use permit as outlined in Case DEV-26-057 based on the recommendation and conditions of the Planning Commission and the findings set forth in the staff report subject to the following additional conditions, no horse tripping and no bull tailing.*

*Motion failed, 3-2 Commissioners Stieben and Dove voting nay.*

*A motion was made by Commissioner Stieben and seconded by Commissioner Dove to approve with the conditions that Commissioner Culbertson added keep the insurance at ten million and for a one-year term.*

Commissioner Stieben withdrew his motion and Commissioner Dove withdrew his second.

*A motion was made by Commissioner Stieben and seconded by Commissioner Dove to approve with the same conditions as last motion but change the insurance to one million and term of one- year.*

*Motion failed, 3-2 Commissioners Reid and Culbertson voting nay.*

*A motion was made by Commissioner Stieben and seconded by Commissioner Smith to approve with the same conditions as last motion but change the insurance to one million and term of two- years.*

*Motion passed, 4-1, Commissioner Reid voting nay.*

Commissioner Smith announced the city of Lansing will have a 4<sup>th</sup> of July celebration on Thursday.

Sarah George, Mary Wood, Tammy Patton and Julie Downes commented.

*A motion was made by Commissioner Smith and seconded by Commissioner Stieben to adjourn.*

*Motion passed, 5-0.*

The Board adjourned at 11:46 a.m.

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, July 13, 2026

Tuesday, July 14, 2026

Wednesday, July 15, 2026

9:00 a.m. Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

Thursday, July 16, 2026

Friday, July 17, 2026

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

START DATE: 06/26/2026 END DATE: 07/01/2026

TYPES OF CHECKS SELECTED: \* ALL TYPES  
CHECK RANGE SELECTED: \* No Check Range Selected

WARRANT NUMBER	CHK TYPE	WARRANT DATE	VEND #/ PCH DOC #	VENDOR NAME/ ACCOUNT NUMBER	DESCRIPTION	AMOUNT	TOTAL
865		06/30/2026	648	COMMERCE BANK-COMMERCIAL CARDS			
			142114	6-126-5-00-221	FAMILY EYECARE CENTER AND VTC	9.29	
			142114	6-126-5-00-226	FAMILY EYECARE CENTER AND VTC	208.00	
			142113	6-136-5-00-204	TRAINING KUMC	50.00	
			142113	6-136-5-00-204	TRAINING KUMC	50.00	
					WARRANT TOTAL		317.29
866		06/30/2026	8686	EVERGY KANSAS CENTRAL INC			
			142106	6-001-5-32-392	MONTHLY BILLING JUSTICE CENTER	25,698.66	
			142105	6-195-5-00-290	MONTHLY BILLING COMM CORR	588.05	
					WARRANT TOTAL		26,286.71
867		06/30/2026	516725	ENTERPRISE FM TRUST			
			142112	6-126-5-00-221	REIMBURSEMENT FOR CHEVY TRAILBL	25,701.87	
					WARRANT TOTAL		25,701.87
*120629	AP	06/30/2026	20588	ADVANTAGE PRINTING			
			142123	6-146-5-00-301	REGULAR ENVELOPES	258.00	
					WARRANT TOTAL		258.00
120630	AP	06/30/2026	1068	ALL TEMP, INC.			
			142133	6-001-5-33-209	CUSHING 711 MARSHALL	3,450.00	
					WARRANT TOTAL		3,450.00
120631	AP	06/30/2026	917	WILLIAM BECK			
			142136	6-001-5-33-209	711 MARSHALL REPLACE HONEYWELL	555.00	
					WARRANT TOTAL		555.00
120632	AP	06/30/2026	2570	RON HOOVER			
			142137	6-503-5-00-2	REFUND OF ENTRANCE AT WOODEND	100.00	
					WARRANT TOTAL		100.00
120633	AP	06/30/2026	2570	WILLIAM PETERSON			
			142138	6-503-5-00-2	REFUND OF ENTRANCE AT 246 ST	100.00	
					WARRANT TOTAL		100.00
120634	AP	06/30/2026	2570	INVICTUS BUILDERS LLC			
			142139	6-503-5-00-2	REFUND OF ENTRANCE AT 235TH ST	100.00	
					WARRANT TOTAL		100.00
120635	AP	06/30/2026	5637	CLEARWATER ENTERPRISES,LLC			
			142132	6-001-5-14-220	JC GAS SERVICE AND CH GAS SERV	605.26	
			142132	6-001-5-32-392	JC GAS SERVICE AND CH GAS SERV	1,370.16	
					WARRANT TOTAL		1,975.42
120636	AP	06/30/2026	9635	DASH MEDICAL GLOVES			
			142111	6-126-5-00-226	VIVYL GLOVES	128.90	
					WARRANT TOTAL		128.90
120637	AP	06/30/2026	209	ELECTION SYSTEMS & SOFTWARE			
			142124	6-001-5-49-340	AUDIO SET UP FOR BALLOTS FOR 2	3,070.25	
			142127	6-001-5-49-340	EXPRESS VOTE PAPER	98.85	
					WARRANT TOTAL		3,169.10
120638	AP	06/30/2026	1508	EVERGY KANSAS CENTRAL, INC			
			142141	6-126-5-00-226	ELECTRIC SERVICE ACCT 27756382	2,455.01	
					WARRANT TOTAL		2,455.01
120639	AP	06/30/2026	843	FIDLAR			
			142107	6-119-5-00-252	BASTION HOSTING SERVICE QRT JU	4,400.00	
					WARRANT TOTAL		4,400.00
120640	AP	06/30/2026	28526	THE GUIDANCE CENTER (TRAINING			
			142116	6-126-5-00-705	MENTAL HEALTH TREATMENT	1,395.00	

START DATE: 06/26/2026 END DATE: 07/01/2026

TYPES OF CHECKS SELECTED: \* ALL TYPES  
 CHECK RANGE SELECTED: \* No Check Range Selected

WARRANT NUMBER	CHK TYPE	WARRANT DATE	VEND #/ PCH DOC #	VENDOR NAME/ ACCOUNT NUMBER	DESCRIPTION	AMOUNT	TOTAL
			142116	6-126-5-00-705	MENTAL HEALTH TREATMENT	210.00	
			142116	6-126-5-00-705	MENTAL HEALTH TREATMENT	140.00	
			142115	6-135-5-00-200	FENERAL PROBATION MED MGT	425.00	
			142117	6-136-5-00-207	MENTAL HEALTH TREATMENT	10.00	
			142117	6-136-5-00-207	MENTAL HEALTH TREATMENT	150.00	
			142117	6-136-5-00-207	MENTAL HEALTH TREATMENT	284.17	
					WARRANT TOTAL		2,614.17
120641	AP	06/30/2026	18885	HAYNES EQUIPMENT CO			
			142131	6-210-5-00-2	HAYNES EQUIPMENT	6,834.48	
					WARRANT TOTAL		6,834.48
120642	AP	06/30/2026	543	HEARTLAND REGIONAL ALCOHOL AND			
			142109	6-123-5-00-210	ASSESSMENT GARDNER	200.00	
					WARRANT TOTAL		200.00
120643	AP	06/30/2026	1017	HERMAN LAW OFFICE, P.A.			
			142126	6-001-5-09-231	COURT APPOINTED ATTORNEY	5,000.00	
					WARRANT TOTAL		5,000.00
120644	AP	06/30/2026	2505	INTRINSIC INTERVENTIONS			
			142118	6-126-5-00-226	SMART SCREEN TABLET	192.50	
			142119	6-136-5-00-203	SMART SCREEN TABLET	192.50	
			142119	6-136-5-00-203	SMART SCREEN TABLET	250.00	
			142118	6-136-5-00-226	SMART SCREEN TABLET	250.00	
					WARRANT TOTAL		885.00
120645	AP	06/30/2026	782	JCI INDUSTRIES INC			
			142130	6-212-5-00-2	FS TS PUMP SHORT CYCLING 05042	2,545.00	
					WARRANT TOTAL		2,545.00
120646	AP	06/30/2026	66366	KANSAS GAS SERVICE			
			142135	6-001-5-14-220	JC, COURTHOUSE AND COMM CORR	657.33	
			142135	6-001-5-32-392	JC, COURTHOUSE AND COMM CORR	1,330.71	
			142134	6-001-5-33-392	711 MARSHALL	149.91	
			142134	6-001-5-33-392	711 MARSHALL	116.70	
			142134	6-001-5-33-392	711 MARSHALL	154.46	
			142135	6-195-5-00-290	JC, COURTHOUSE AND COMM CORR	73.12	
					WARRANT TOTAL		2,173.31
120647	AP	06/30/2026	12074	KANSAS PROSECUTORS TRAINING &			
			142122	6-406-4-00-715	2ND QUARTER	134.68	
			142122	6-406-4-00-715	2ND QUARTER	151.32	
			142122	6-406-4-00-715	2ND QUARTER	131.04	
					WARRANT TOTAL		417.04
120648	AP	06/30/2026	26952	LEGAL LANGUAGE SERVICES			
			142128	6-001-5-19-221	INTERPRETER FOR 6252026	332.50	
			142129	6-001-5-19-221	INTERPRETER 06162026	260.00	
					WARRANT TOTAL		592.50
120649	AP	06/30/2026	2666	ANNE MARIE YATSULA			
			142108	6-001-5-09-202	MILEAGE AND TOLL EIMBURSEMENT	118.80	
			142108	6-001-5-09-202	MILEAGE AND TOLL EIMBURSEMENT	100.00	
			142108	6-001-5-09-205	MILEAGE AND TOLL EIMBURSEMENT	471.11	
					WARRANT TOTAL		689.91
120650	AP	06/30/2026	635	MODERN GLASS SOLUTIONS			
			142120	6-126-5-00-224	REPLACE WINDOWS AND DOORS TOP	20,133.34	
			142121	6-136-5-00-207	REPLACE WIMDOWS AND DOORS TOP	10,066.66	

START DATE: 06/26/2026 END DATE: 07/01/2026

TYPES OF CHECKS SELECTED: \* ALL TYPES  
 CHECK RANGE SELECTED: \* No Check Range Selected

<u>WARRANT NUMBER</u>	<u>CHK TYPE</u>	<u>WARRANT DATE</u>	<u>VEND #/ PCH DOC #</u>	<u>VENDOR NAME/ ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTAL</u>
					WARRANT TOTAL		30,200.00
120651	AP	06/30/2026	196 142140	OLSSON, INC 6-001-5-06-206	PROFESSIONAL SERVICES PZ PORTI	7,922.80	7,922.80
					WARRANT TOTAL		7,922.80
120652	AP	06/30/2026	767 142110 142110	OXFORD HOUSE WILDCAT 6-126-5-00-226 6-126-5-00-226	CLIENT SERVICE NANCE HOUSING CLIENT SERVICE NANCE HOUSING	150.00 420.00	570.00
					WARRANT TOTAL		570.00
120653	AP	06/30/2026	6917 142125	RURAL WATER DIST #1 6-160-5-00-210	WATER METER CHARGE	27.77	27.77
					WARRANT TOTAL		27.77
120654	AP	06/30/2026	3510 142103	DANIEL LOPEZ 6-001-5-07-351	VEHICLE MAINTENANCE FOR 2ND QU	60.00	60.00
					WARRANT TOTAL		60.00
					GRAND TOTAL		129,729.28

START DATE: 06/26/2026 END DATE: 07/01/2026

TYPES OF CHECKS SELECTED: \* ALL TYPES  
CHECK RANGE SELECTED: \* No Check Range Selected

FUND SUMMARY

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001	GENERAL	51,213.58
119	ROD TECHNOLOGY	4,400.00
123	JUVENILE CRIME PREVENTION	200.00
126	COMM CORR ADULT	51,143.91
135	COMM CORR OPIOID	425.00
136	COMM CORR JUVENILE	11,303.33
146	COUNTY TREASURER SPECIAL	258.00
160	SOLID WASTE MANAGEMENT	27.77
195	JUVENILE DETENTION	661.17
210	SEWER DISTRICT 1: HIGH CREST	6,834.48
212	SEWER DISTRICT 2: TIMBERLAKES	2,545.00
406	ATTORNEY TRAINING	417.04
503	ROAD & BRIDGE BOND ESCROW	300.00
	TOTAL ALL FUNDS	129,729.28

## RESOLUTION 2026-11

**A resolution of the Leavenworth County Kansas Board of County Commission, conditionally issuing a Special Use Permit for an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events for RJ Farms on the following described property:**

Lot 1 in Whispering Plains, a subdivision in Leavenworth County, Kansas, according to the recorded plat thereof, in Leavenworth County, Kansas.

**WHEREAS**, a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 24<sup>th</sup> day of April, 2026, and

**WHEREAS**, the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 10<sup>th</sup> day of June, 2026; and

**WHEREAS**, the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, recommended that the Special Use Permit be approved, subject to special conditions as set forth; and

**WHEREAS**, the Board of County Commission considered, in session on the 1<sup>st</sup> day of July, 2026, the recommendation of the Leavenworth County Planning Commission.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS SITTING IN REGULAR SESSION DOES HEREBY RESOLVE:**

- I. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission and the findings as set forth in the staff report and adopted by the Planning Commission and the findings of fact adopted by the Board of County Commission in regular session on the 1st day of July, 2026, and incorporated herein by reference, **Case No. DEV-26-057, Special Use Permit (SUP) for an amusement park, commercial athletic fields, racetracks, circuses, carnivals and fairgrounds for outdoor events for RJ Farms is conditionally approved subject to the performance and observation of the conditions and stipulations set forth herein.**
- II. The SUP granted in Section I. is hereby contingent upon the performance and observations of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violations shall constitute an additional basis for revocation:
  1. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
  2. Provide a copy of the contract for the Portable Toilet provider.
  3. The applicant shall comply with the Narrative submitted on May 27, 2026.
  4. Events shall be limited to 15 events in a calendar year.
  5. Occupancy for all events shall be limited to 300 people. Employees shall be limited to 15 people.
  6. The conditional special use permit is considered a type 3 and shall be limited to a period of 2 (two) years.
  7. No events shall take place inside the agricultural building.
  8. There shall be no on-street parking allowed.
  9. Traffic shall not queue onto the public road network when entering the site.
  10. No events shall be allowed within any public rights-of-way.

11. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
12. Lighting generated from the event shall be limited 0.00 foot-candles net gain, as measured at the property line.
13. Noise generated from an event held at this facility including, but not limited to: live music, DJ, and noise from guests shall be limited to 60 decibels at the property line. No amplifiers will be permitted for any live music band.
14. No extension cords may cross driveways or drive aisles.
15. All dumpsters shall be screened from public right-of-way.
16. All garbage and animal waste must be removed from the property and disposed of in accordance with local and state requirements and within 2 business days of the event.
17. All portable restrooms must be maintained in a professional manner and removed from the property within 2 business days of the event.
18. The applicant shall comply with the following:
  - a. Public Works memo, dated May 7, 2026
  - b. Emergency Management, dated January 3, 2025
  - c. Sheriff's Department, dated June 3, 2026
19. That no public nuisance be allowed or created upon the subject real property.
20. A licensed veterinarian must be on-site during any rodeo event and evidence of such must be provided upon request.
21. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
22. No event conducted on the property shall include or permit the intentional tripping, seizing, roping, tying, or dragging of any bovine by its tail by any means for the purpose of sport, contest, practice, or entertainment (commonly known as "steer tailing" or "bull tail pulling").
23. No event conducted on the property shall include or permit the intentional use of a wire, pole, stick, rope or other object to cause an equine to lose its balance or fall, for the purpose of sport, contest, practice or entertainment (commonly known as "horse tripping").
24. That the conditional Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. The RJ Farm Events, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.

Located in Section 09, Township 12 South, Range 21, in Leavenworth County, Kansas more commonly known as 21985 Cantrell Road.

Adopted this 1<sup>st</sup> day of July, 2026  
 Board of County Commission  
 Leavenworth, County, Kansas

\_\_\_\_\_  
 Mike Stieben, Chairman

ATTEST:

\_\_\_\_\_  
 Jeff Culbertson, Member

\_\_\_\_\_  
 Fran Keppler, Leavenworth County Clerk

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 Vanessa Reid, Member

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Willie Dove, Member

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Mike Smith, Member

# Leavenworth County Request for Board Action

**Date:** July 1<sup>st</sup>, 2026

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Approval:** WLN

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Approval of the construction contract with Norfolk Contracting for the replacement of F-47 culvert on Leavenworth Road.

**Analysis:** Public Works solicited bids for the replacement of the F-47 culvert structure. The existing structure is a 6-foot round area inlet drop culvert that has experienced failures at the weld joints connecting the vertical and horizontal pipes. Three bids were received. Linaweaver Construction was the low bidder at \$260,751.85. The second lowest bid was \$137,875 higher or 53%. The engineer's estimate was \$342,835.97.

**Alternatives:** Deny

**Budgetary Impact:** \$260,751.85 + 10% contingency (\$286,827.04 Total)

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Additional Attachments:** Contract

**COUNTY OF LEAVENWORTH**

F-47 Culvert BID OPENING ON 06.25.2026

BID TABULATION - FINAL



Item No.	Item Description	Unit	Quantity	Linaweaver Construction Lansing, KS	Total	Ebert Construction Wamego, KS	Total	Julius Kaaz Leavenworth, KS	Total
				Price	Total Price			Price	Total Price
1	Mobilization	L.S.	1	\$ 12,500.00	\$ 12,500.00	\$ 55,183.88	\$ 55,183.88	\$ 56,000.00	\$ 56,000.00
2	Contractor Construction Staking	L.S.	1	\$ 4,500.00	\$ 4,500.00	\$ 5,388.40	\$ 5,388.40	\$ 7,250.00	\$ 7,250.00
3	Traffic Control	L.S.	1	\$ 6,000.00	\$ 6,000.00	\$ 5,051.63	\$ 5,051.63	\$ 4,675.00	\$ 4,675.00
4	Clearing & Grubbing	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 31,164.84	\$ 31,164.84	\$ 16,000.00	\$ 16,000.00
5	Removal of existing structure	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 36,697.11	\$ 36,697.11	\$ 10,000.00	\$ 10,000.00
6	Install 84" CMP with End Section	L.S.	1	\$ 50,000.00	\$ 50,000.00	\$ 47,331.82	\$ 47,331.82	\$ 94,000.00	\$ 94,000.00
7	Rock Exc. (Roadway Removal)	Cu. Yd.	60	\$ 250.00	\$ 14,900.00	\$ 38.74	\$ 2,308.90	\$ 80.00	\$ 4,768.00
8	Embankment (Contractor Furn.)	Cu. Yd.	505	\$ 50.00	\$ 25,250.00	\$ 44.16	\$ 22,300.80	\$ 40.00	\$ 20,200.00
9	Linear Grading	1 station		\$ 1,500.00	\$ 1,500.00	\$ 15,572.57	\$ 15,572.57	\$ 18,000.00	\$ 18,000.00
10	Rebar (Gr. 60)	Lbs.	2,210	\$ 3.50	\$ 7,733.25	\$ 2.42	\$ 5,346.99	\$ 4.00	\$ 8,838.00
11	Concrete (Grade 4.0) (AE)	Cu. Yd.	21	\$ 2,500.00	\$ 51,500.00	\$ 3,462.82	\$ 71,334.09	\$ 5,750.00	\$ 118,450.00
12	4" Aggregate Base (AB-3)	Sq. Yd.	278	\$ 20.00	\$ 5,556.00	\$ 12.28	\$ 3,411.38	\$ 22.00	\$ 6,250.50
13	6" Aggregate Shoulder (AS-1)	Sq. Yd.	44	\$ 40.00	\$ 1,776.00	\$ 23.64	\$ 1,049.62	\$ 45.00	\$ 1,998.00
14	Concrete Pavement (6") (Reinf.)	Sq. Yd.	267	\$ 90.00	\$ 24,003.00	\$ 254.90	\$ 67,981.83	\$ 90.00	\$ 24,003.00
15	HMA- Commercial Grade (Class A)	Tons	29	\$ 350.00	\$ 10,150.00	\$ 345.69	\$ 10,025.01	\$ 365.00	\$ 10,585.00
16	Erosion Control (Class 1, Type C)	Sq. Yd.	78	\$ 12.00	\$ 933.60	\$ 4.12	\$ 320.54	\$ 10.00	\$ 778.00
17	Erosion Control (Class II)(Type E)	Sq. Yd.	300	\$ 20.00	\$ 6,000.00	\$ 6.21	\$ 1,863.00	\$ 15.00	\$ 4,500.00
18	9" Bio-Log	LNFT	200	\$ 7.50	\$ 1,500.00	\$ 6.85	\$ 1,370.00	\$ 15.00	\$ 3,000.00
19	RipRap (Light Stone)(18")	Sq. Yd.	74	\$ 175.00	\$ 12,950.00	\$ 108.51	\$ 8,029.74	\$ 120.00	\$ 8,880.00
20	Seed and Mulch	L.S.	1.0	\$ 4,000.00	\$ 4,000.00	\$ 6,894.51	\$ 6,894.51	\$ 2,800.00	\$ 2,800.00
	<b>ENGINEER'S ESTIMATE IS \$342,835.97</b>								
<b>BID PRICE</b>					<b>\$260,751.85</b>		<b>\$398,626.66</b>		<b>\$420,975.50</b>

**AGREEMENT BETWEEN  
Leavenworth County, Kansas  
and Contractor**

For

PROJECT: CULVERT F-47

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_.

by and between Leavenworth County, Kansas, hereinafter the "County", and Linaweaver  
Const., Inc., hereinafter the "Contractor";

WITNESSETH:

WHEREAS, the County has caused to be prepared, in accordance with the law, Notice to Bidders, Instructions to Bidders, Bid, this Agreement, General and Special Conditions, Plans, Specifications and other Contract Documents, as defined in the General Conditions, for the work herein described, and has approved and adopted these said Contract Documents and has caused to be published, in the manner and for the time required by law, an advertisement inviting sealed Bids for furnishing construction materials, labor, tools, equipment and transportation necessary for, and in connection with, the construction of public improvements in accordance with the terms of this Agreement; and

WHEREAS, the Contractor, in response to the Notice to Bidders, has submitted to the County, in the manner and at the time specified, a sealed Bid in accordance with the terms of this Agreement; and

WHEREAS, the County, in the manner prescribed by law, has publicly opened, examined and canvassed the Bids submitted, and as a result of this canvass has, in accordance with the law, determined and declared the Contractor to be the lowest and best responsible bidder for the construction of the public improvements, and has duly awarded to the Contractor a contract therefor upon the terms and conditions set forth in this Agreement and for the sum or sums named in the Bid attached to and made a part of this Agreement.

NOW, THEREFORE, in consideration of the compensation to be paid the Contractor, and of the mutual agreements herein contained, the parties hereto have agreed, and hereby agree, the County for itself and its successors, and the Contractor for itself, himself/herself or themselves, its, his/her or their successors and assigns, or its, his/her or their executors and administrators, as follows:

ARTICLE I. The Contractor will furnish at its own cost and expense all labor, tools, equipment, materials and transportation required to construct and complete the work as designated, described and required by the Contract Documents, to wit:

**CULVERT F-47**, all in accordance with the Notice to Bidders, Instructions to Bidders, Bid, this Agreement, General, Supplementary and Special Conditions, Plans, Specifications and other Contract Documents as defined in Article 1 of the General Conditions of the Contract for Construction, on file with Leavenworth County, Kansas, all of which Contract Documents form the Contract, and are as fully a part hereof as if repeated verbatim herein; all work to be done in a good, substantial and workmanlike manner to the entire satisfaction of the County, and in accordance with the laws of the State of Kansas and the United States of America. All terms used herein shall have the meanings ascribed to them in the General Conditions unless otherwise specified.

ARTICLE II. The County shall pay to the Contractor for the performance of the work embraced in this Contract, and the Contractor will accept in full compensation therefor, the sum of

Two-hundred-sixty thousand, seven-hundred-fifty-one & 85/100 DOLLARS (\$ 260,751.85

\_\_\_\_\_) (subject to adjustment as provided by the Contract Documents) for all work covered by and included in the Contract award and designated in the foregoing Article I, payment thereof to be made in cash or its equivalent and in the manner provided in the Contract Documents.

ARTICLE III. The Contractor shall commence work upon the date stated in the Notice to Proceed, and will be complete with all work covered by this Contract and be ready for final payment within **60 Calendar Days**. Time is of the essence. Accordingly, liquidated damages shall be assessed against Contractor, at a rate of **\$ 500.00/day** for each and every calendar day the work remains incomplete over the specified completion time.

ARTICLE IV. The Contractor shall not subcontract, sell, transfer, assign or otherwise dispose of the Contract or any portion thereof without previous written consent of the County. In case such consent is given, the Contractor shall be permitted to subcontract a portion thereof, but shall self perform not less than forty percent (40%) of the total Contract Price based upon the unit prices within the Bid submitted to the County by the Contractor. No subcontracts, or other transfer of Contract, shall release the Contractor of its liability under the Contract and Bonds applicable thereto.

ARTICLE V. Contractor specifically acknowledges and confirms that:

- 1.) it has visited the site, made all inspections it deems appropriate and has read and fully understands the Contract Documents, including all obligations and responsibilities undertaken by it as specified herein and in the other Contract Documents and knowingly accepts same;
- 2.) it has furnished copies of all Contract Documents to its insurance carrier(s) and its surety(ies); and
- 3.) its insurance carrier(s) and surety(ies) agree to be bound as specified herein, in the Contract Documents and in the insurance policy(ies) and bonds as to liability and surety coverage.

ARTICLE VI. It is specifically agreed between the parties executing this Agreement that the Contract Documents are not intended to create any third party beneficiary relationship nor to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The duties, obligations and responsibilities of the parties to this Agreement with respect to third parties shall remain as imposed by law.

ARTICLE VII. This Agreement, together with the other Contract Documents, constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except as provided herein or in the other Contract Documents.

ARTICLE VIII. This Agreement is entered into, under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Kansas.

ARTICLE IX. Should any provision of this Agreement or the other Contract Documents be determined to be void, invalid, unenforceable or illegal for whatever reason, such provision(s) shall be null and void; provided, however, that the remaining provisions of this Agreement and/or the other Contract Documents shall be unaffected thereby and shall continue to be valid and enforceable.

IN WITNESS WHEREOF, Leavenworth County, Kansas, has caused this Agreement to be executed on its behalf, thereunto duly authorized, and the said Contractor has executed Three (3) counterparts of this Contract in the prescribed form and manner, the day and year first above written.

ATTEST:

Leavenworth County, Kansas

\_\_\_\_\_

By: \_\_\_\_\_

Mike Stieben, 5th District, Chairman

Title: \_\_\_\_\_

ATTEST:

Contractor: LINAWEAVER CONSTRUCTION, INC.

\_\_\_\_\_

By: \_\_\_\_\_

Title: SECRETARY

VICE PRESIDENT

If Contractor is not an individual, authority for signing contract must be shown or attached.



## BID FORM

**Proposal:**

TO FURNISH ALL MATERIALS, LABOR, TOOLS, EQUIPMENT AND SUPPLIES AND TO

**Project Name:** CULVERT F-47

Name of BIDDER: LEWANEVER CONSTRUCTION, INC.

Contact Personnel: MARCUS LEWANEVER

Address of BIDDER: 719 E GELMAN RO, LAWRENCE, KS 66043

**TO: The County of Leavenworth, KS**

The undersigned, as bidder, declares that he has visited the site of the Work and determined the amount and character of the proposed Work, and is familiar with all the requirements of the Specifications and Plans.

The undersigned proposes and agrees, if this proposal is accepted, to furnish all labor, materials, tools, equipment, supplies and machinery of every description necessary for the proper construction and completion of the Work contemplated in the documents of the Contract in the manner therein specified for the following unit prices and lump sums.

The undersigned agrees, if this proposal is accepted, to complete the Work within a period of **60** consecutive calendar days from and after the date of due notification by the Owner of its approval and execution of the Contract Agreement, otherwise to be governed by the stipulations of the accompanying articles of the Contract. The work shall commence with the following timeframe:

Earliest Start Date: 7/23/26

Latest Start Date: 8/23/26

Liquidated damages shall be assessed against Contractor, at a rate of **\$ 500.00/day** for each and every calendar day the work remains incomplete over the specified completion time.

It is understood and agreed that if this proposal is accepted, the prices quoted include all applicable state sales taxes and use taxes, and that said taxes shall be paid by the Contractor.

The undersigned, as Bidder, hereby declares that the only persons or firms interested in the proposal as principal or principals is or are named herein and that no other persons or firms than herein mentioned have any interest in this proposal or in the Contract to be entered into; and this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith, without collusion or fraud.

## BID FORM

### ITEMIZED PROPOSAL

Project Name: CULVERT F-47  
Leavenworth County, Kansas

ITEM NO.	DESCRIPTION	QTY	UNITS	UNIT PRICE	TOTAL PRICE
1	Mobilization	1	Lump Sum	12,500.00	12,500.00
2	Contractor Construction Staking	1	Lump Sum	4,500.00	4,500.00
3	Traffic Control	1	Lump Sum	6,000.00	6,000.00
4	Clearing and Grubbing	1	Lump Sum	10,000.00	10,000.00
5	Removal of Existing Structure	1	Lump Sum	10,000.00	10,000.00
6	Install 84" CMP with End Section	1	Lump Sum	50,000.00	50,000.00
7	Rock Exc. (Roadway Removal)	59.6	CUYD	250.00	14,900.00
8	Embankment (Contractor Furn.)	505	CUYD	50.00	25,250.00
9	Linear Grading	1	Station	1,500.00	1,500.00
10	Rebar (Gr. 60)	2,209.5	LBS	3.50	7,733.25
11	Concrete (Grade 4.0) (AE)	20.6	CUYD	2,500.00	51,500.00
12	4" Aggregate Base (AB-3)	277.8	SQYD	20.00	5,556.00
13	6" Aggregate Shoulder (AS-1)	44.4	SQYD	40.00	1,776.00
14	Concrete Pavement (6")(Reinf.)	266.7	SQYD	90.00	24,003.00
15	HMA Commercial Grade (Class A)	29	TON	350.00	10,150.00
16	Erosion Control (Class I)(Type C)	77.8	SQYD	12.00	933.60
17	Erosion Control (Class II)(Type E)	300	SQYD	20.00	6,000.00
18	9" Bio-Log	200	LNFT	7.50	1,500.00
19	RipRap (Light Stone)(18")	74	SQYD	175.00	12,950.00
20	Seed and Mulch	1	Lump Sum	4,000.00	4,000.00
<b>TOTAL PROJECT BID PRICE</b>				<b>\$260,751.85</b>	

Two Hundred Sixty Thousand Seven Hundred Fifty-One Dollars and Eighty-Five Cents  
Total Bid in Words

\$260,751.85  
Total Bid in Figures

  
Bidder's Signature

6/25/2026  
Date

The undersigned as a bidder declares:

That he has been regularly engaged in contract work of the class required by the specifications for years, and respectfully invites your attention to the following work that has been completed under his direction:

20<sup>TH</sup> STREET + SENECA STREET STORM SEWER IMPROVEMENTS - CITY OF LEAVENWORTH, KS

SOUTH VALLEY DRIVE STORM SEWER REPLACEMENT - CITY OF LANSENG, KS

SW LEA DRIVE STORM SEWER IMPROVEMENTS - CITY OF LEE'S SUMMIT, MO

The undersigned agrees that the accompanying bid deposit shall become the property of the Owner, should he fail or refuse to execute the Contract or furnish Bond as called for in the Specifications within the time provided.

If written notice of the acceptance of this bid is mailed, emailed, facsimiled or delivered to the undersigned within thirty (30) days after the date of opening of the bids, or any time thereafter before this bid is withdrawn, the undersigned will, within ten (10) days after the date of such mailing, emailing, facsimiled or delivery of such notice, execute and deliver a Contract in the form of Contract attached.

The undersigned hereby designates as his office to which such notice of acceptance may be mailed, emailed, facsimiled or delivered:

719 E GELMAN RD, LANSENG, KS 66043

It is understood, agreed that this bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

Attached hereto is a Bid Bond for the sum of FIVE PERCENT OF BID

Certified Check

( \$5% OF BID )

Dollars made payable to: **Leavenworth County, Kansas**





STATE OF KANSAS  
OFFICE OF SECRETARY OF STATE  
INFORMATION REPORT

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**Business ID:** 920629  
**Business Name:** LINAWEAVER CONSTRUCTION, INC.  
**Reporting Year:** 2025

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**Principal Office Address**

719 E GILMAN ROAD  
Lansing, KS 66043 USA

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**Name and address of each officer of corporation**

PRESIDENT - MARK LINAWEAVER 24583 147TH STREET Leavenworth, KS 66048 USA  
VICE PRESIDENT - MARCUS LINAWEAVER 24563 147TH STREET Leavenworth, KS 66048 USA  
SECRETARY/TREASURER - LISA LINAWEAVER 24583 147TH STREET Leavenworth, KS 66048 USA

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**Name and address of each director of corporation.**

MARK LINAWEAVER 24583 147TH STREET Leavenworth, KS 66048 USA  
LISA LINAWEAVER 24583 147TH STREET Leavenworth, KS 66048 USA

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**Nature and Kind of Business**

To engage in any lawful act or activity for which corporations may be organized under the Kansas general corporation code.

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**Does this corporation hold more than 50% equity ownership in any other business that is filed with the Kansas Secretary of State?**

No

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**Does this corporation own or lease land in Kansas that is suitable for use in agriculture?**

No

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**Signatures**

**Signature of Authorized Person** LISA LINAWEAVER

**Title of Signer** SECRETARY

**Leavenworth County  
Request for Board Action  
Board of Building Codes Appointment**

**Date:** July 8, 2026

**To:** Board of County Commissioners

**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review  Administrator Review x Legal Review x**

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**Action Requested:** Consider appointment of Mr. Byron McFee to the Board of Building Codes Appeals to fill one of two vacant seats. The term of the applicant shall be until such time that the member resigns or is no longer needed on the Board.

Chairman, I find that Mr. McFee meets the qualifications to serve on the Board of Building Codes Appeals and approve the appointment of Mr. McFee to fill a vacant seat in accordance with the adopted bylaws of the Board.

**Analysis:** The Board of Building Codes Appeals is tasked with presiding over any appeal related to the Building Codes, as adopted by Leavenworth County. The Board is also tasked for reviewing and updating the Building Codes, including any future amendments. The Board is comprised of not less than five (5) and nor more than seven (7) persons, residing in the county of Leavenworth, who have a background in the building trades or fire protection services deemed sufficient by the Board of County Commissioners. Members must be qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

Mr. McFee has experience in plan review and related disciplines that can assist the board in possible consideration of alternate methods of construction and formal appeals. This kind of experience is integral to the composite of the body of the board.

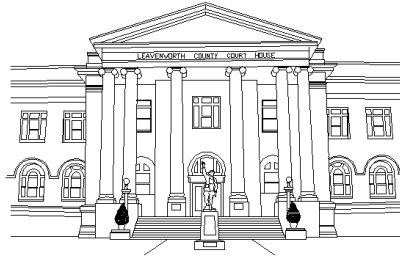
**Budgetary Impact:** None

- X Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Total Amount Requested:**

\$0.00

**Additional Attachments:** Application



## BOARD OF BUILDING CODES APPEALS APPLICATION

Leavenworth County depends upon citizen participation, service and input. Board of Building Codes Appeals members play a vital role in the shape of the County's built environment, and are an important element in achieving the County's goals. Please completely, and thoughtfully fill out this application so that the Board of County Commissioners may fully evaluate your qualifications. Please attach additional pages if needed.

Thank you for your interest in this vital role in Leavenworth County.

Name Byron McFee

Phone [REDACTED]

Address: [REDACTED]

E-mail: [REDACTED]

Tonganoxie, KS 66086

How many years have you lived in Leavenworth County? 5 years

Are you a registered voter in Leavenworth County?  YES  NO

Do you  own or  rent property in Leavenworth County?

Do you reside outside of the city limits?  YES  NO

Are you presently employed?  YES  NO

Employer/Position: Hallmark Cards, Inc (KCMO)/ Building Automation System (BAS) Specialist

If retired, what was your previous profession? Salesman, Construction MEP Project Manager  
Consultant, High Containment Laboratory Commissioning (USA)

Have you served on a County/City Commission or committee before?  YES  NO

If yes, which City/County and when: Rural Water District #9 - LVCO

Position: Board Member (2024-2027)

Why do you wish to serve on the Board of Building Codes Appeals? Please include any special qualifications or education which you feel are appropriate, such as a background in the building trades or fire protection services, to the position of Building Codes Appeals Board Member?

I want to serve to continue to improve the County's infrastructure for people who live and want to live in the region. I have a mechanical engineering degree and have been in the vertical buildings industry since 1999 where I started building structures in Decatur County, Kansas. I am a Commissioning Provider and own a Consulting business as well. I have been involved in construction and quality control since 2012. Prior to that I supported construction projects by assisting engineers in creation of project documents. For the past 11 years, I've provided construction reviews of construction documents for hospitals and high containment laboratories and hospitals in the central region of the United States. I believe I am qualified for this role.

Do you have any potential conflicts of interest that you are aware of? If so, please explain.  
I do not.

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What do you see as the objectives and goals of the Board of Building Codes Appeals?

This board should be there to assist the code enforcement team interpret codes and enforce required county codes on construction projects in the county. I believe this enforcement ensures fair purchasing and construction and will elevate the structures in our county to be more consistent with other areas of the region and country.

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What circumstances would necessitate the reinterpretation of building codes for an applicant? What circumstances would not?

If submitted documents aren't matching codes and/or the code enforcement official determines there is a discrepancy that needs a 3rd party opinion to resolve and ensure construction meets the intent of the county requirements.

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Per Board Order, the Board of Building Codes Appeals will meet within five (5) business days of an application for appeal. Are you available to attend meetings (virtually or in-person) when necessary, and is your schedule flexible to allow for the impromptu nature of these meetings? Please explain.

Yes. I have a flexible work schedule and am familiar with technology to use virtual meetings. I have been using technology for meetings since 2015.

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If you have previously participated in local government please explain the role you held and what you learned from your experience.

No local government experience to date outside of the water district and being a voter and active member of the community.

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What is your understanding of the role of Building Codes? Please explain to the best of your ability.

Building codes are to set a minimum expectation of structures built and ensure they are safe for occupancy and meet the requirements of the county. This also allows potential sellers and buyers to have a standard expectation of the quality of structure without a destructive style test to understand the construction of said structure.

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How do you think you would balance residents' concerns with overall County goals and long-term benefits?

I would have the county adopt codes that are fair and then enforce them equally across all builds and renovations. The residents should have a say in what the codes are through open meetings and forums.