

*****March 23, 2022*****

The Board of County Commissioners met in a regular session on Wednesday, March 23, 2022. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Doug Smith are present; Commissioner Stieben is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Jamie VanHouten, Community Corrections Director; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Residents: Sharon Wagner, John Wagner, Howard Crook, Christy Britz, Shawn Britz, Mason Britz, Madison Britz, Gary Green, AW Himpel, Joe Herring, Greg List, Louis Klemp, John Matthews, Dennis Taylor, Ross Boden, Mike Seck, Pat Barnhardt, John Groves

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith that the Board recess for a closed executive meeting for the discussion of a subject involving the legal interests of the County as justified by K.S.A. 75-4319(B)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney-client relationship and that the Board resume open meeting at 9:20 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Jeff Culbertson, Vicky Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor David Van Parys, County Administrator Mark Loughry and Mike Seck.

Motion passed, 5-0.

The Board resumed regular session at 9:20 a.m. Discussion was limited to the legal interests of the County. No decisions were made.

Ross Boden, attorney for Flatlands spoke.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith that the cease and desist order be held in abeyance for a period for 30 days providing that Flatland operate within the strict confines of the special use permit and that the matter be reviewed in 30 days.

Motion passed, 3-2, Commissioners Culbertson and Stieben voting nay.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith that the abeyance includes that no friable or nonfriable asbestos be allowed in the c & d landfill.

Motion passed, 4-1, Commissioner Culbertson voting nay.

PUBLIC COMMENT:

Sharon Wagner, Howard Crook and Louis Klemp commented.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a request for a dumpster for a cleanup for Trinity Lutheran Church.

Commissioner Stieben noted this is at 166th St. and Stillwell where there is still debris in the trees from the tornado.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to allow the dumpster to be placed per the request at the location of 166th and Stillwell for the church group for the cleanup project.

Motion failed, 3-2 Commissioners Doug Smith, Culbertson and Kaaz voting nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, March 23, 2022 as presented.

Motion passed, 5-0.

Pat Barnhardt requested funding from the Leavenworth County/Cities Drug and Alcohol Abuse fund.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve the allocations to the Leavenworth County and City Drug and Alcohol Abuse Council recommendations.

Motion passed, 5-0.

Bill Noll requested approval of the supplemental for additional design and construction inspection work for the 158th Street road project from MHS.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the supplemental additional design costs for construction inspection work for 158th road improvement by MHS not to exceed \$40,667.92.

Motion passed, 5-0.

Mr. Noll requested to accept bid from Dondlinger's for the F-46 bridge replacement project.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to accept the bid from Dondlinger Construction for bridge F-46 replacement project not to exceed \$710,338.00.

Motion passed, 5-0.

Jamie VanHouten requested that Community Corrections pay plan be moved to the OJA pay plan for FY2023.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve to move the Community Corrections pay plan from FY2023 pay plan to the OJA pay plan.

Motion passed, 5-0.

Commissioner Mike Smith will be volunteering for the delivery of Meals-on-Wheels this week.

Commissioner Doug Smith delivered Meals-on-Wheels in Basehor yesterday and participated in the MARC meeting. He will attend the Basehor City Council and Fairmount Township meetings.

Commissioner Stieben indicated he is scheduled to deliver Meals-on-Wheels on Friday. He indicated there is a vacancy on the Reno Township Board.

Commissioner Kaaz reported the Commissioners participated in the St. Patrick's Day parade. She participated in the NEK-CAP meeting, Workforce Partnership meeting, delivery of Meals-on-Wheels and the Leavenworth City Commission meeting. She will be participating in the KCATA meeting later today.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to adjourn.

Motion passed, 5-0.

The Board adjourned at 10:25 a.m.