

*****April 2, 2015*****

The Board of County Commissioners met in regular on Thursday, April 02, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Hallie Hughes, Executive Secretary; Diane Collins, Human Resources Director; Janet Klasinski, County Clerk; Scott Anglemyer, Workforce Partnership; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the March 30, 2015 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and execute the letter to Mr. Tornaden.

Motion passed, 3-0.

Commissioner Holland indicated the Leavenworth Historical Museum Association Inc., has requested the County to deliver a dump truck load of mulch to the Harvey Museum (7th and Olive).

Commissioner Bixby requested Public Works to contact LHMA and advise the type of mulch the County has to provide and invite them to view the mulch to determine if it is what they actually want to place around the exterior of the Harvey Museum.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to allow Public Works to deliver a truck load of mulch to the Harvey Museum.

Motion passed, 3-0.

Commissioner Graeber suggested the BOCC consider contributing \$1,000.00 to the Buffalo Bell Stampede that is a benefit race for the Leavenworth County Historical Society at the Carroll Mansion Museum.

Commissioner Bixby suggested it be funded from the recreation fund.

Janet Klasinski, the County Clerk, indicated last year's contribution was from the General fund and that the recreation fund is usually used for the County contributions to the American Legion baseball program. She advised the balance in the recreation fund was \$10,700.00. Last year's contribution to the American Legion was \$8,000.00, \$4,000.00 from Recreation Fund and \$4,000.00 from Alcohol Fund.

A motion was made by commissioner Graeber and seconded by Commissioner Holland to approve the distribution of funds from the Recreational Fund to the Leavenworth Historical Society Buffalo Bell Stampede event, in the amount of \$1,000.00

Motion passed, 3-0.

Diane Collins, Director of Human Resources, presented a revised Substance Abuse and Drug and Alcohol Policy. She advised the revision established zero tolerance for anyone who tests positive for alcohol or an

illegal substance. Under the previous policy the employee had the option to enter into a rehabilitation program, and upon completion, return to work.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to adopt the revised substance abuse policy and drug and alcohol policy presented by Human Resources.

Motion passed, 3-0.

Ms. Collins further advised the BOCC of a proposed revision to the tobacco use policy indicating non-tobacco users or users enrolled in a cessation program would be entitled to receive a discount on health insurance if included in the next health insurance renewal.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to pursue insurance discount for non-smokers or smokers entering a smoking cessation program.

Motion passed, 3-0.

Mr. Hurley advised the Atchison County Commissioners would like to host a meeting to continue to discuss items of joint interest, such as forming an Extension District, combining Adult Community Corrections, and other items. Mr. Hurley advised Atchison County has already adopted a resolution providing the formation of an Extension District.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber not to approve a Resolution to form an Extension District with Atchison County.

Motion passed, 3-0.

Scott Anglemeyer with the Workforce Partnership briefed the BOCC on the activities of the workforce partnership in this district conformed of Leavenworth, Johnson, and Wyandotte Counties. The purpose of the partnership is to build a workforce development system that meets the needs of both job seekers and employers throughout the Kansas City Metro area, by offering professional expertise to employers and job seekers. The services are available to the public at no charge. Mr. Anglemeyer indicated Leavenworth County does not have a member on the Elected Officials Board and would like to change that.

Commissioner Bixby expressed concern that Leavenworth County will only have one representative, while Johnson County has two representatives, and Wyandotte County has three representatives.

Mr. Anglemeyer will provide further information to the BOCC regarding Leavenworth County's impact by serving the board, demographics of the three counties employment and union labor, and contact information of current board members for the BOCC to review.

A motion was made by Commissioner Holland and second by Commissioner Graeber to approve the agenda for the week of April 6, 2015.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to go into Executive Session for 5 minutes to discuss pending litigation. Present: The three Commissioners, Pat Hurley, and David Van Parys. Executive session began at 10:27 a.m.

Motion passed 3-0.

Commission returned from executive session at 10:32 a.m., no action was taken.

The Board adjourned at 10:34 a.m.

*****April 6, 2015*****

The Board of County Commissioners met in regular on Monday, April 06, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Diane Collins, Human Resources Director; Mike Spickelmier, Director of Public Works; Mick Schwartzkopf, Assistant Director Public Works; Doug Smith, Road and Bridge Superintendent; Jeff Joseph, Planning and Zoning Director; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 2, 2015 meeting minutes.

Motion passed, 3-0.

Public Works requested authorization to proceed with the 207th Street Participatory Road Program project and to solicit for metal culverts under the Leavenworth County Purchasing Policy.

Motion made by Commissioner Holland and seconded by Commissioner Graeber to proceed with the 207th Street Participatory Road Program project, authorize Public Works to solicit for bids for metal culverts, and to authorization to apply chemical dust control to other Participatory Road Program projects.

Motion passed, 3-0.

Commissioner Bixby requested Public Works to solicit for bids for chip and seal and application to apply chemical dust control on County roads.

Public Works Director, Mike Spickelmier, indicated when the Road and Bridge Department makes repairs to roads, applies chip and seal, or applies the chemical dust control, the County will save money with a lower labor and equipment rates, as Public Work's costs are far lower than a contractor. Mr. Spickelmier indicated this will be further discussed during Public Works monthly report next Monday.

Jeff Joseph, Planning and Zoning Director, requested approval to have the Planning and Zoning Commission assume the responsibilities of the Board of Zoning Appeals. The Board of Zoning Appeals has not met since 2013 and by adopting this proposal it would simplify the process and reduce the cost of maintaining an additional Board.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to appoint the Planning Commission as the Board of Zoning Appeals.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to repeal Resolution 2011-22.

Motion passed, 3-0.

Mr. Joseph will present a Board Order during Thursday's meeting to appoint the Planning Commission as the Board of Zoning Appeals.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to go into Executive Session for 5 minutes to discuss non-elected personnel. Present: The three Commissioners, Pat Hurley, and Diane Collins. Executive Session began at 9:38 a.m.

Motion passed 3-0.

Commission returned from executive session at 9:43 a.m., no official action was taken.

The Board adjourned at 9:48 a.m.

Final Approved

*****April 9, 2015*****

The Board of County Commissioners met in regular on Thursday, April 09, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Sean Crittendon, Director of Leavenworth County Department of Juvenile Services; Mike Spickelmier, Director of Public Works; Mick Schwartzkopf, Assistant Director Public Works; Jeff Joseph, Planning and Zoning Director; Scott Anglemyer, Workforce Partnership; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and second by Commissioner Holland to approve the agenda for the week of April 13, 2015.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 06, 2015 meeting minutes.

Motion passed, 3-0.

Commissioner Graeber asked what the tasks, accomplishments, functions and duties of the Workforce Partnership were.

Mr. Anglemyer indicated the Workforce Development Board meets the fourth Tuesday of every month and is responsible for overseeing the Workforce Development Program in Johnson, Wyandotte, and Leavenworth Counties. It involves bringing job seekers and employers together and to fill jobs.

Commissioner Bixby indicated he is not comfortable using tax payer's dollars in assisting the Workforce Partnership, but would reconsider if the Elected Officials Board was more equal.

Mr. Hurley indicated in discussions with Atchison County joint supervision of Adult Community Corrections was discussed. Mr. Hurley was visited by the Deputy Secretaries of Corrections who suggested it might be an appropriate time to consolidate since it is funded entirely by the state.

Sean Crittendon presented organizational charts illustrating the current arrangements and consolidation. Mr. Crittendon indicated he serves as the administrative contact for the district, and with consolidation there would be greater efficiency and excess revenue for expanded programs.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber upon approval of the Judges by April 16, allow Mr. Crittendon oversee the Juvenile Services, Adult Community Corrections, and City/County Probation in Leavenworth County.

Motion passed, 3-0.

Mr. Hurley advised consolidation of Adult Community Correction in the First Judicial District would have to be discussed with Atchison County.

Planning and Zoning presented Resolution 2015-10, for approval which merged the Board of Zoning Appeal into the Planning and Zoning Commission.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve and execute Resolution 2015-10, authorizing the appointment of the Planning Commission as the Board of Zoning Appeals for Leavenworth County, Kansas.

Motion passed, 3-0.

Public Works advised that once the 207th Street PRP Project is completed, 171st Street PRP Project would follow in the PRP Program. Public Works indicated that doing 171st Street project in house, could save 50% of the cost of having it bid out to a contractor.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to authorize Public Works to begin the process of finalizing the right-of-way on 171st Street.

Motion passed, 3-0.

Public Works indicated that KOSS Construction will begin being fined by KDOT on April 27, 2015 for non-completion of US-73 Highway.

Commissioner Bixby requested that Planning and Zoning issue a reminder notice to KOSS Construction on the date their Temporary Special Use Permit expires for their portable ready-mix plant.

The Board adjourned at 10:20 a.m.

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*****April 13, 2015*****

The Board of County Commissioners met in regular on Monday, April 13, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Mike Spickelmier, Director of Public Works; Janet Klasinski, County Clerk; Helen Klinkenberg, Deputy County Clerk; Doug Smith, Road and Bridge Superintendent; Captain Johnson, Sheriff's Department; J.C. Tellefson, Resident; Rick Graham, Resident; Bobby O. Watkins, Resident; Jere Smith, Resident; Charles Raney, Resident; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

J.C. Tellefson addressed the BOCC as a former Leavenworth County Commissioner, who served on the Workforce Partnership Board. Mr. Tellefson traced the history of the Workforce and strongly recommended that a Commissioner should serve from Leavenworth County.

Commissioner Graeber indicated after speaking to Steve Jack, Executive Director of the LCDC and member of the Workforce Partnership, he is now in favor of having a representative from the BOCC on the Workforce Partnership Board.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the April 09, 2015 meeting minutes.

Motion passed, 3-0.

Public Works indicated they received a valid petition under the Policy of Subdivision Roads in combination with the provisions of a Benefit District, for the upgrade from gravel to chip-seal of the travelled surfaces of 167th Street and Douglas Road within the plat of the carriage Club Estates Subdivision. Mike Spickelmier indicated a public hearing will be held late fall.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to move forward with the project on the Carriage Club Estates Benefit District.

Motion passed, 3-0.

Janet Klasinski, the County Clerk, presented the results of the canvas of recent local elections. She indicated two very close races from the April 7 election held by the City of Easton, one for the Mayor and for the City Council. The race for Mayor had no filed candidate and had 13 write-in votes for Philip Miers and 12 write-in votes for Bobby O. Watkins. Ms. Klasinski indicated after the Resolution Board reviewed and determined the outcome of the election, that Philip Miers has been elected as the Mayor of Easton.

A motion as made by Commissioner Holland and seconded by Commissioner Graeber to accept the determination of the Resolution Board that Philip Miers was elected Mayor of Easton.

Motion passed, 3-0.

Ms. Klasinski indicated the City of Easton had five residents file petitions to run for City Council and received write-ins for two additional candidates, in which write-in candidate Russ Gildner was voted to fill the fifth position for the City Council.

Ms. Klasinski indicated the voter turnout for the April 7 election was 5,477 voters, with 340 of the votes participating in advanced voting at the Courthouse.

The Commission proceeded with the County Clerk to review the provisional ballots for all elections.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to certify the votes.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to go into Executive Session for 30 minutes to discuss non-elected personnel. Present: The three Commissioners, Pat Hurley, David Van Parys, and applicant for a county position. Executive Session began at 10:04 a.m.

Motion passed 3-0.

Commission returned from executive session at 10:34 a.m., no official action was taken.

The Board adjourned at 10:34 a.m.

Final Approved

*****April 16, 2015*****

The Board of County Commissioners met in regular on Thursday, April 16, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Mike Spickelmier, Director of Public Works; Mick Schwartzkopf, Assistant Director Public Works; Fran Keppler, Noxious Weed Supervisor; Trevor Huhn, Buildings and Ground Manager; Doug Smith, Road and Bridge Superintendent; Tammy Saldivar, Solid Waste Manager; Wayne Malnicof, County Surveyor; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the April 13, 2015 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and second by Commissioner Holland to approve the agenda for the week of April 20, 2015, as amended.

Motion passed, 3-0.

Commissioner Graeber suggested scheduling Monday, April 27, BOCC meeting to start at 10:00 a.m. to allow Commissioners to attend Senator Moran's Kansas Listening Tour at 8:30 a.m. at the Riverfront Community Center.

Public Works presented their monthly report.

Bridge E-20 (Cemetery Road South of Easton over Dawson Creek), Public Works has commenced the acquisition process and is on schedule for construction in 2016.

HP-25 (High Prairie Road east of 187th Street {CR-29}), KDOT will begin construction on May 20, and has scheduled ninety-five working days for this project.

SH-15 (Stillwell Road east of 198th Street) is the bridge with partial KDOT funding for replacement. The County Surveyor has acquired the sight geology and the total graphic survey of the area. The current landowners have expressed great interest in donating the easements in order to begin the bridge replacement process.

KDOT plans to complete the following projects this summer; installing a UBAS from Gillman Road to Limit Street, pavement replacement project on Metropolitan Avenue, a chip-seal from the Jefferson County Line to 15th Street in Leavenworth on K92, they will continue with the Centennial Bridge tolling and revenue study, and bridge repairs West of Easton over Dawson Creek and the two bridges East of Easton over Dawson Creek on K192.

Mike Spickelmier indicated on April 24 Public Works will have received all qualification statements from the consultants and will begin the process of getting them under contract to complete the three projects from the one cent sales tax extension; 147th Street (Parallel to Fairmount), McIntyre Road (K-7 to K-5), Eisenhower Road to County Road 5.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to award the electrical on-call service contract to Schwinn Electric, with the hourly rate of \$65.00 per hour, \$90.00 per hour overtime rate, and a \$10.00 trip charge; to award the plumbing on-call service contract to JF Denny, with an hourly rate of \$75.00 per hour, \$112.50 per hour overtime rate, and a \$69.00 trip charge; to award the HVAC on-call service contract to JF Denny, with an hourly rate of \$75.00 per hour, \$112.50 per hour overtime rate, and a \$69.00 trip charge; and to award the boiler/chiller on-call service contract to Fagan Company, with an hourly rate of \$87.00 per hour, \$130.00 per hour overtime rate, and a \$60.00 trip charge.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the bid from Vulcan Inc., out of Foley, Alabama, as the supplier of the spring sign material for Public Works, in the amount of \$17,815.44.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve using Purplewave to auction off #11 202 International Dump Truck and #106 2006 John Deer Boom Mower.

Motion passed, 3-0.

Fran Keppler indicated that forty to fifty employees participated in the County wellness challenge with a total weight loss of 109 pounds.

Mr. Spickelmier indicated Lansing conducted their citywide cleanup the weekend of April 10 and Leavenworth is conducting their citywide cleanup Saturday, April 18. He indicated with last year's Countywide cleanup and the Cities cleanups we should have a better idea on how the event will run, the manpower needed, and limitations to put in place, including the limit of tires each resident can dispose of.

Mr. Spickelmier indicated the Solid Waste Committee has revised the bi-laws for their memberships, revised meetings to bi-annually rather than quarterly, and is currently working on an outline policy framework for the five year update.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to accept the Solid Waste Committee Report.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to allow Public Works to solicit bids for three back hoe loaders for the Transfer Station.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the letter prepared by Planning and Zoning to send the Board of Zoning Appeals members.

Motion passed, 3-0.

Commission went into a 5 minute recess.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to go into Executive Session for 30 minutes to discuss non-elected personnel. Present: The three Commissioners, Pat Hurley, David Van Parys, and applicant for a county position. Executive Session began at 10:00 a.m.

Motion passed 3-0.

Commission returned from executive session at 10:30 a.m., no official action was taken.

The Board adjourned at 10:30 a.m.

Final Approved

*****April 20, 2015*****

The Board of County Commissioners met in regular on Monday, April 20, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Wayne Malnicof, County Surveyor; Trevor Huhn, Buildings and Ground Manager; John Forslund, P.E.; Jeff Lane, Treanor Architects; Steve Jack, LCDC Executive Director; Frank Lenk, MARC Director of Research Services; Cathy Boyer-Shesol, KC Communities for All Ages Program Manager; Joe Herring, Herring Surveying Company; Leslie Hubbel, Resident; Jere Smith, Resident; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Planning and Zoning presented a request for an exception to the moratorium on County Road 1. The property owners of 22398 Honeycreek Road are proposing to subdivide the 200 acre property into no less than 10 acre parcels for commercial and residential real estate.

Mr. Van Parys indicated the concept of the moratorium was that there would be residential development on both the northern and southern ends with commercial retail development closer to the interchange.

Mr. Joseph indicated the property is located within a Special Development District within County Road 1; therefore there are additional standards the property owners will have to comply with.

Leslie Hubbel, managing partner of Harman Farm Partnership, indicated the property has been in her family for 135 years. Ms. Hubbel and her siblings have maintained the property for the last twenty-five years, and want to sell the property. She is requesting relief from the moratorium to split the property up into parcels to have a better opportunity to sell the land.

Steve Jack, Executive Director of the LCDC, did not see a significant problem selling the land as individual parcels. The LCDC owns 237 acres next to the Harman Farm Partnership property that is zoned as an industrial park.

Commissioner Bixby suggested that one of the conditions when approving platting should require a natural tree line between the Harmon Farm property and the industrial park that the owners of the Harmon Farm or new property owners contribute to the screening. Commissioner Bixby asked the current property owners to contact K-State Extension to put up a tree barrier along the eastern property to help with the screening.

Joe Herring, of Herring Surveying Company, indicated that the property owners would not offer additional screening because those standards of screening are placed on the industrial park businesses not on the residential. They should leave that decision to the people purchasing the property whether they wanted the screening. The potential buyers will be 100% aware that there is an industrial park directly east of them and they would have to deal with what goes in the industrial park.

Commissioner Graeber indicated it's up to the industrial park to put the screening up to protect the Harmon Farm Land.

Commissioner Bixby requested the County Road 1 Moratorium discussion to be tabled until Thursday.

Public Works held a public hearing regarding the location of Lecompton Road. Lecompton Road is an open County right-of-way that deviates from the re-alignment of K-92 Highway and should be vacated.

There were no comments from the public during the public hearing.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to vacate a portion of Lecompton Road and adopt Board Order 2015-03.

Motion passed, 3-0.

Steve Jack, Executive Director of the LCDC; spoke about the Workforce Partnership indicating that without representation by the BOCC on the Workforce Partnership Elected Officials Board, Leavenworth County would not have a direct say in decisions.

Mr. Van Parys indicated Leavenworth County's overall liability is currently 15% with one voting member, if the BOCC wished to have additional representatives their liability would likely increase.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby, to appoint Commissioner Holland as Leavenworth County's representative on the Workforce Partnership Board.

Motion passed, 3-0.

Cathy Boyer-Shesol, Program Manager of KC Communities for All Ages and Frank Lenk, Director of Research Services for MARC presented a PowerPoint presentation regarding the sixty-five and older population, the large contribution made to the community every day, and the impact on economic development they have.

John Forslund updated a report on the new annex. He and Treanor Architects have met with the department heads to discuss Option 2 design previously approved by the BOCC. Mr. Forslund indicated they are within their budget for the construction cost for the property and improvement to the current annex property. The latter is estimated at \$50,000.00. He requested permission to proceed to advertise for construction services to begin by the end of July and be completed by the end of the year.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the schedule presented by John Forslund, authorizing him to advertise for contractors through the Leavenworth Times, Tonganoxie Mirror, and the Kansas City Blueprint on Friday, April 24, pre-bid meeting on Thursday, May 28, and proceed to the BOCC with a recommendation of a contractor to begin construction late July.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland at 10:37 a.m. to take a 10 minute recess.

Motion passed, 3-0.

Session reconvened at 10:48 a.m.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to go into Executive Session for 5 minutes to discuss non-elected personnel. Present: The three Commissioners, Pat Hurley, and David Van Parys. Executive Session began at 10:49 a.m.

Motion passed 3-0.

Commission returned from executive session at 10:54 a.m., no official action was taken.

The Board adjourned at 10:54 a.m.

Final Approved

*****April 23, 2015*****

The Board of County Commissioners met in regular on Thursday, April 23, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Jim Kraatz, Senior Planning Coordinator; Jillian Ogden, Planning Coordinator; Trevor Huhn, Buildings and Ground Manager; Nathan McCommon, City of Tonganoxie; Dave Breuer, City of Basehor; Joe Herring, Herring Surveying Company; Mike Reilly, Coldwell Banker Reilly and Sons; Leslie Hubbel, Resident; Dan Hubbel, Resident; Douglas Hogle, Resident; Joe Strick, Resident; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and second by Commissioner Holland to approve the agenda for the week of April 27, 2015.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the April 16, 2015 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 20, 2015 meeting minutes.

Motion passed, 3-0.

Commissioner Bixby indicated at this time, the KCATA is not interested in purchasing the 4-H property.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to list the 4H property for sale and designate a realtor.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-015 for the final plat of the replat of Lot 1 and a portion of Lot 4 of Klasinski Acres located on Ft. Riley Road. The platted lots have been combined by deed and should have been combined by a replat that would result in a conforming lot.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-15-015 the final plat of replat of Lot 1 and a portion of Lot 4 of Klasinski Acres.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-018 for the final plat for Daley Estates located on 170th Street to replat two existing lots to allow for the construction of a house.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the recommendation of the Planning Commission regarding Case Number DEV-15-018 final plat for Daley Estates, replat of Lots 1 and 2.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-010 and DEV-15-011 a preliminary and final plat for Whiskey Ridge Estates located on the southwest corner of Leavenworth Road and 219th Street. The applicant would like to divide the 109 acre parcel into nine parcels for potential sale and development.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-15-010 and DEV-15-011 preliminary and final plat for Whiskey Ridge Estates.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to go into Executive Session for 5 minutes to discuss potential litigation. Present: The three Commissioners, Pat Hurley, David Van Parys, and Jeff Joseph. Executive Session began at 9:20 a.m.

Motion passed 3-0.

Commission returned from executive session at 9:25 a.m., only to return to executive session.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to go back into Executive Session for 5 minutes to discuss potential litigation. Present: The three Commissioners, Pat Hurley, David Van Parys, and Jeff Joseph. Executive Session began at 9:25 a.m.

Motion passed 3-0.

Commission returned from executive session at 9:30 a.m., no official action was taken.

Planning and Zoning indicated a moratorium was placed on parcels along County Road 1 corridor to restrict any new development from occurring before a plan had been formulated for the corridor. The moratorium was approved by the County Commission on May 21, 2007. The moratorium also allows any person seeking to be granted relief from the moratorium to be granted after a hearing on such request.

Mike Reilly, with Coldwell Banker Reilly and Sons, indicated in to the proposed real estate transaction the buyers and sellers receive full disclosures of potential development in the surrounding areas, since the property is located near an industrial park.

Commissioner Graeber indicated the industrial park location has been vacant and not built upon for almost ten years and doesn't see the Harman Farm Partnership request as unreasonable.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to grant Harman Farm Partnership relief from the moratorium.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and execute Resolution 2015-11 to continue the moratorium for another year and to move forward with the City of Tonganoxie how we can encourage growth and development in that area.

Motion passed, 3-0.

Commissioner Bixby indicated Bill Peak is his current alternate on the MARC Board but is no longer an elected official as required. Commissioner Bixby requested approval that Mayor David Breuer be appointed as the new alternate to serve on the MARC Board.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to appoint Mayor Breuer to the MARC Board to serve as an alternate to Commissioner Bixby.

Motion passed, 3-0.

Mr. Hurley presented dates the Atchison County Commissioners proposed for in a work session with the BOCC. The BOCC had conflicts on the dates and suggested May 12.

Mr. Hurley also advised the courts did not object to consolidating the administration of Juvenile Services program together with addition of Community Corrections City/County Probation under Sean Crittendon. It is also suggested at the work session with Atchison County to combine Atchison County's Adult Community Corrections.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the OCB's and authorize the Chairman to sign and date the same.

Motion passed, 3-0.

The board recessed at approximately 10:14 a.m. to review bills for the remainder of the day.

Final Approved

*****April 27, 2015*****

The Board of County Commissioners met in regular on Monday, April 27, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Mick Schwartzkopf, Assistant Director Public Works; Jeff Joseph, Planning and Zoning Director; Jim Kraatz, Senior Planning Coordinator; Yesenia Vazquez Pinedo, Resident; Sandra Mayorja, Resident; Aurelio Haro, Resident; Jerry McDonald, The Guidance Center; Keith Rickard, The Guidance Center; John Richmeier, Leavenworth Times.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 23, 2015 meeting minutes.

Motion passed, 3-0.

Keith Rickard, Executive Director, of The Guidance Center presented their 2014 annual report, indicating the Kansas Department for Aging and Disabilities announced they would be reducing the number of state mental health hospital beds from 204 beds to 146 beds at Osawatomie State Hospital. This is being done to comply with a mandate by the federal Center for Medicaid and Medicare Services, indicating Osawatomie State Hospital as a facility must replace ceilings that could pose a danger to patients who may pose a threat to themselves.

Public Works solicited bids for new culvert materials, received three bids, and requested to approve the low bid of \$44,943.70 from Welborn Sales for the purchase of culverts for the 207th Street PRP project.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award the culvert pipe bid to Welborn Sales Inc., in the amount of \$44,943.70, for the 207th Street PRP project.

Motion passed, 3-0.

Jeff Joseph, Director of Planning and Zoning, indicated that KOSS Construction's Temporary Special Use Permit for a concrete batch plant expires on May 31, 2015.

Mick Schwartzkopf indicated Public Works has received information from numerous consultants and the County Engineer is working on putting together a selection committee to select three consultants for the three major road projects from the sales tax proceeds.

Planning and Zoning presented two cases for Temporary Special Use Permits; Case Number DEV-15-030 to hold a wedding reception, and Case Number DEV-15-031 to hold a celebration for Cinco de Mayo. Planning and Zoning indicated each event would have up to 150 people, 75 vehicles, and shall provide a certificate of general liability insurance in the amount of \$1,000,000.00, indicating Leavenworth County as the certificate holder.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-15-030 and Case Number DEV-15-031, authorizing the Temporary Special Use Permits subject to Planning and Zoning's conditions.

Motion passed, 3-0.

Mr. Hurley indicated a new Human Resources Director has been selected and will begin employment with Leavenworth County in May.

Commissioner Graeber indicated a personal assistant to the Human Resources Director position closed April 17, and was concerned that the new Human Resources Director should make the decision.

Mr. Hurley indicated the new personal assistant position will not be filled until the new Human Resources Director starts, and the need will be determined at that time.

Commissioner Holland indicated the County Treasurer has hired different contractors to remodel the Treasurer's office without authorization from the BOCC.

Commissioner Bixby inquired if it is a violation of the Leavenworth County Purchasing Policy.

Mr. Hurley will contact Mike Spickelmier, Public Works Director, and Trevor Huhn, Building and Grounds, to answer questions the BOCC has in Thursday's meeting regarding the remodeling in the Treasurer's office.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the bills that have been signed by the Commission.

Motion passed, 3-0.

The Board adjourned at 11:22 a.m.

*****April 30, 2015*****

The Board of County Commissioners met in regular on Thursday, April 30, 2015. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present. Also present: Patrick Hurley, County Administrator; Hallie Hughes, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Jim Kraatz, Senior Planning Coordinator; Stephanie Sloop, Planning Coordinator; Mike Spickelmier, Director of Public Works; Trevor Huhn, Buildings and Ground Manager; Janice Van Parys, County Treasurer; Justin Falleaf, Resident.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the April 27, 2015 meeting minutes, as amended.

Motion passed, 3-0.

Commissioner Holland inquired about Judge Sundby and Chief Kitchens appearance on the agenda next week pertaining to Community Corrections.

Mr. Hurley indicated Judge Sundby requested the scheduling.

Commissioner Bixby indicated he would like a briefing report before their appearance and we might reschedule to May 14.

A motion was made by Commissioner Holland and second by Commissioner Graeber to approve the agenda for the week of May 4, 2015, as amended.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-038, Temporary Special Use Permit for Festy Fest. Festy Fest is an annual music and camping event scheduled for Friday, May 8 through Saturday, May 9.

Applicant, Justin Falleaf, indicated he waited to apply for the Temporary Special Use Permit because of the closing date on the house and property that part of the festival takes place on. Mr. Falleaf indicated there will be twelve security staff hired from Pipeline Productions.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-15-038, authorizing the Temporary Special Use Permit subject to Planning and Zoning's conditions.

Motion passed, 3-0.

Planning and Zoning briefed the BOCC on the Annual Fishing Derby, indicating Joe Lamborn is excited the County continues to hold the Fishing Derby at his pond. Mr. Lamborn and the Bass Club have indicated Saturday, June 20, with a second date of Saturday, July 18, would work best for them to hold the Fishing Derby.

Public Works indicated they have been assisting the Treasurer since February with remodeling in her office by moving the location of the kitchen sink, the safe, and installing two cubicles. Mr. Spickelmier

indicated Public Works is facilitating a project requested by the Treasurer which is being funded from her budget.

Commissioner Bixby requested Roger Marris investigate the project under county purchasing policy and the historical aspect of the County Courthouse to assume there is no long term damage to the Courthouse.

Mr. Marris indicated he would contact the Treasurer's attorney about the matter.

Ms. Van Parys indicated she was not aware that the proper procedure was to notify the BOCC, and did not want to get Public Works into any trouble for anything she asked of them. She thought she was complying with the Purchasing Policy.

Mr. Spickelmier indicated they received notification from the Sheriff that he has revoked access to the janitorial service crew due to a breach of contract involving security at the Justice Center.

Mr. Hurley asked Trevor Huhn to arrange a meeting with the Sheriff, Steve Crossland, and Chief Kitchens regarding the janitorial service.

Commission went into a 10 minute recess at 10:33.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to go into Executive Session for 30 minutes to discuss potential litigation under attorney/client status. Present: The three Commissioners, Pat Hurley, Roger Marris. Executive session began at 10:46 a.m.

Motion passed, 3-0.

Commission returned from executive session at 11:16 a.m., no action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to return to Executive Session for 20 minutes to continue discussion of potential litigation under attorney/client status. Present: The three Commissioners, Pat Hurley, Roger Marris. Executive session began at 11:16 a.m.

Motion passed, 3-0.

Returned from executive session at 11:36 no official action was taken and is now in regular session.

A motion was made by Commissioner Holland seconded by Commissioner Graeber to send a copy of the amended response letter to Ms. Keyta Kelly, council for the County Treasurer.

Motion passed, 3-0.

The Board adjourned at 11:41 a.m.