

*****November 2, 2015*****

The Board of County Commissioners met in regular session on Monday, November 2, 2015. Commissioner Holland, Commissioner Bixby, Commissioner Graeber present. Also present: Patrick Hurley, County Administrator, present; Becky Matzeder, Executive Secretary; Bob Weber, County Appraiser; Jeff Culbertson, Director of GIS; Sean Crittendon, Director of Leavenworth County Department of Juvenile Services; Brigid McCaully, Business Manager for Leavenworth County Department of Juvenile Services; 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 October 29, 2015 meeting minutes as amended.

Motion passed, 3-0.

Bob Weber presented the quarterly report for the Appraiser's Office, indicating the field staff is finishing the annual 17% re-inspection requirements and is working on producing values for the 2016 tax year. The number of single family residential sales through September is up over 15% over the same period last year.

Mr. Weber indicated a statistical and procedural compliance review for tax year 2015 has been completed and Leavenworth County met the criteria to be in substantial compliance.

Jeff Culbertson presented the quarterly report for the GIS department indicating they have created new map layers. This new layer will show all of the county parcels broken out as they were annexed into cities by date.

Mr. Culbertson indicated he is on the ortho photo task force for MARC to acquire new 2016 aerial photos for each city and county in the MARC region.

Mr. Culbertson indicated GIS is finishing the Quality control checks with Kimble mapping on the NG911 map layers created for the Sheriff's dispatch in the new 911 system. This will ensure that every person in the county will be located in the event of a 911 call in the new system. He indicated GIS trained the City of Lansing personnel on mapping software they purchased so they can maintain new NG911 addresses for their city and create new addresses as needed.

Sean Crittendon, Director of Leavenworth County Department of Juvenile Services indicated adult community corrections have 117 active cases. He indicated there is a funded part time position within the department but is cross training juvenile officers so there will not be a need to hire.

Mr. Crittendon indicated nothing has changed with City/County Probation as far as the program and services delivered. He indicated the budget is on track.

Mr. Crittendon indicated there is a lot of activity going on within the State for juvenile services. He indicated he will be attending the Kansas Community Correction Associated Fall Meeting on November 5 and 6. He indicated this meeting will discuss the bills that will be brought in front of the legislature for 2016.

Mr. Crittendon indicated security cameras have been upgraded in the entryway of the Juvenile Detention Center.

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.

David Van Parys now present at 9:36 a.m.

Mr. Van Parys requested an executive session for 10 minutes to discuss acquisition of real property.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to go into Executive Session for 10 minutes to discuss acquisition of real property. Present: The three Commissioners, Pat Hurley, David Van Parys. Executive session began at 9:37 a.m.

Motion passed, 3-0.

Commission returned from executive session at 9:47 a.m., no action was taken.

Mr. Van Parys requested an executive session for 10 minutes to discuss potential litigation.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to go into Executive Session for 10 minutes to discuss potential litigation. Present: The three Commissioners, Pat Hurley, David Van Parys. Executive session began at 9:50 a.m.

Motion passed, 3-0.

Commission returned from executive session at 10:00 a.m., no action was taken.

Commissioner Graeber indicated Janet Klasinski has been working on a report showing the effect of the new taxation legislature on Leavenworth County.

Janet Klasinski is now present at 10:08 a.m.

Ms. Klasinski indicated she and Linda Scheer have been working on a report dating from 1996 to present showing the impact of a new taxation law if it goes into effect. She indicated over this span of twenty years the levy has increased only 9 mills.

Ms. Klasinski indicated under the bills requirements you estimate what would the effect on Leavenworth County would be if this law went into effect this year. The Leavenworth County budget would have to have been cut over \$1.1 million under the law. The new law would go into effect for the 2017 budget.

It was the consensus of the Commission for Ms. Klasinski draft a letter summarizing her findings of the effects if this taxation law goes into effect.

It was the consensus of the Commission for Commissioner Bixby to present the letter at the KAC conference meeting.

The Board adjourned at 10:24 a.m.

*****November 5, 2015*****

The Board of County Commissioners met in regular session on Thursday, November 5, 2015. Commissioner Holland, Commissioner Graeber present, Commissioner Bixby absent. Also present: Patrick Hurley, County Administrator, present; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Jill Ogden, Assistant Planner; Jamie Miller, Director of EMS and Health Department; Dave Boone, Treasurer of Kansas City Track Club; 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 November 2, 2015 meeting minutes.

Motion passed, 2-0.

Commissioner Graeber inquired about approval of the 2016 Elected Officials base salary on the agenda for November 12 and didn't recall approving it at this time of the year.

Pat Hurley indicated he would verify with Human Resources as to why it needs early approval.

Commissioner Holland commented the BOCC agreed there would be no increase in salary for commissioners, elected officials and department heads.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the agenda for the week of November 9, 2015 subject to Mr. Hurley verifying information from Human Resources.

Motion passed, 2-0.

Planning and Zoning presented Case Number DEV-15-109, a temporary special use permit for Brew to Brew Relay for Cystic Fibrosis. The applicant is requesting a temporary special use permit for the Brew to Brew Relay, held on Sunday, April 3, 2016. This is an annual running event between Lawrence and Kansas City benefiting the Cystic Fibrosis Foundation. A request to have the application fee waived has been submitted.

Commissioner Holland indicated the BOCC cannot waive the application fee because it then becomes a tax.

David Boone, the treasurer of the Kansas City Track Club indicated he had no objection paying the \$100.00 application fee.

David Van Parys is now present at 9:12 a.m.

Mr. Van Parys indicated there is a Kansas Appellate Court decision whether fees collected by a county was really a fee or a tax. If the fees are waived for non-profit charitable organizations just as taxes are waived, has that fee turned into a tax? He indicated the BOCC could waive the fee without risking it being turned into a tax.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to waive application fee for the Brew to Brew Relay.

Motion passed 2-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the temporary special use permit for Brew to Brew Relay.

Motion passed 2-0.

Jamie Miller presented the quarterly report for the Health Department indicating expenditures and user fee collections are on track.

Mr. Miller indicated the Health Department conducted a full scale Point of Dispensing drill on October 9 at Lansing Elementary School. This was to exercise the ability to conduct mass dispensing in the event of a public health emergency.

Mr. Miller indicated flu shots are available at the Health Department for \$20 for the standard high dose and \$35 for people 65 years or older.

Commissioner Graeber inquired about the progress of the trailers tainted with mercury.

Mr. Van Parys indicated the EPA's most recent declaration is they will provide technical advice on how to remove the trailers but no longer interested in handling it on their own.

Mr. Miller indicated the EPA has legal concerns with removal of both trailers since mercury was found in one. Mr. Miller indicated he will keep the BOCC advised of the progression.

Mr. Miller presented the quarterly report for EMS indicated expenditures are on track. He indicated user fees are at 96% which means no tax dollars have been used to operate EMS for the year so far.

Mr. Miller indicated through the beginning of the year to September, EMS has received 8,212 calls with 5,219 calls where patients have been transported.

Mr. Miller indicated truck 9115 was approved to be replaced in the 2016 budget but wanted to get bids out now so the truck would arrive late summer.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to allow EMS to solicit bids for the replacement of truck 9115.

Motion passed, 2-0.

Mr. Hurley indicated Janet Klasinski drafted two letters regarding the tax lid bill and the impact it would have on Leavenworth County. He indicated he will prepare a series scenarios of potential cuts if the BOCC had to cut \$1.1 million that is estimated under this bill as passed.

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

Motion passed, 2-0.

The Board adjourned at 10:00 a.m.

*****November 9, 2015*****

The Board of County Commissioners met in regular session on Monday, November 9, 2015. Commissioner Holland, Commissioner Bixby, Commissioner Graeber present. Also present: Patrick Hurley, County Administrator, David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Mike Spickelmier, Director of Public Works; Doug Smith, Road and Bridge Director; John Forslund, P.E.; Trevor Huhn, Buildings and Ground; Fran Keppler, Noxious Weeds; Chuck Magaha, Director of Emergency Management; Linda Lobb; Director of Council on Aging; John Matthews, Resident; Jane and Harold Gilbert, Residents; 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 November 5, 2015 meeting minutes.

Motion passed, 2-0, Bixby abstaining.

Chuck Magaha presented the quarterly report for Emergency Management indicating there were several documented emergency incidents in which emergency management was needed to assist responders in the County this quarter. These calls included six hazardous material calls, two gas main ruptures, a mercury spill, an event in the city of Tonganoxie regarding natural gas around several homes and four weather events.

Mr. Magaha presented to 450 students at the Science Technology, Engineering and Math fair educating on flood preparedness and tornado developing.

Emergency Management participated with KC Metro Counties in a table top exercise that consisted of partners in our County that had to respond to a tornado that affected major critical infrastructure throughout the County.

Emergency Management has been awarded \$60,000 for the Emergency Management Performance Grant through FEMA and Mr. Magaha has been re-appointed by Governor Brownback to serve a two year term on the commission on Emergency Planning and Response of Kansas.

Mike Spickelmier inquired about the building on the corner of County Road 18 and Santa Fe Trail.

Mr. Magaha indicated it was a FEMA buy out and is public domain.

A motion was made by Commissioner Holland to have Public Works demolish building and cut down tree and return land to agriculture use on that property.

Commissioner Holland amended motion to include Public Works to have David Van Parys ensure FEMA compliancy and seconded by Commissioner Graeber.

David Van Parys now present 9:18 a.m.

Mr. Van Parys indicated FEMA requires any permanent structure that conserves the waterway be removed.

Motion passed, 3-0.

Linda Lobb presented the quarterly report for Council on Aging indicating they can not find a driver and are having to turn people away.

Ms. Lobb indicated the meals are increasing dramatically at over 250 meals per day.

Ms. Lobb indicated there are several board positions expiring in December and is requested to fill those positions.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the appointments of the Council on Aging Board and the Leavenworth Advisory Board.

Motion passed, 3-0.

Ms. Lobb indicated in the Leisure and Learning Room, the stove and refrigerator needs replaced to be funded from Memorial account.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of a stove and refrigerator from the Memorial fund.

Motion passed, 3-0.

Ms. Lobb requested the removal of transportation vehicle from the Council on Aging fleet that has become structurally unsafe.

Mr. Hurley indicated he would work with Ms. Lobb to resolve the issue of the vehicle and pay scale of a driver position.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to surplus the Council on Aging vehicle in Purplewave.

Motion passed, 3-0.

Fran Keppler indicated the state of Kansas will conduct a safety inspection on November 19th and November 20th which is more extensive than the annual KERIT inspection.

Public Works presented their monthly report.

Bridge E-20 (Cemetery Road South of Easton over Dawson Creek), still trying to acquire two easements however an estate is holding up proceedings.

Bridge HP-25 (High Prairie Road east of 187th Street {CR-29}), the bridge deck is in place and bridge rails will be poured this week.

Bridge HP-10 & HP-17 Bridge Replacement (207th St and Stranger Road), still working with the water district #5.

Bridge SH-15 (Stillwell Road east of 198th Street), will need to get permit then get a set of plans and will then be ready to bid.

John Forslund indicated the 147th St project survey is done and they are doing initial design. He will meet with Westar this Friday about relocation of a substation at 147th and Leavenworth Road. The consultants have met with KDOT on the McIntyre Road project and have determined that a quarter of the funds may be available and Leavenworth County will need to make application.

Mike Spickelmier advised that a decision needs to be made if Leavenworth County wants to sponsor putting an R cut at McIntyre Road. This is within the city limits of Lansing and the Lansing council would need to be in agreement.

Mr. Forslund indicated the new annex building will open approximately January 4, 2016.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to have a ribbon cutting ceremony, wall mounted plaque and open house for the new annex.

Motion passed, 3-0.

Trevor Huhn indicated several departments replaced chairs and want to dispose at the Transfer Station.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to have Buildings and Grounds dispose of the chairs at the Transfer Station.

Motion passed, 3-0.

Doug Smith indicated he received bids for the vehicle storage building at the Quarry.

Commissioner Bixby commented on recent turnover with the heavy equipment operators due to pay and better benefits. Mr. Smith indicated he would rather work to get employees the pay and benefits than to have the storage building.

Mr. Hurley indicated he would work with Human Resources on cost and funding source.

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.

Mr. Spickelmier conducted a work session on the participatory road program. He presented the candidate list and adding three additional projects.

For the December monthly report, Mr. Spickelmier indicated he will present a procedure for PRP's to including a petition, a list of projects that can be added and a list of projects that can be removed and put develop a standardized mechanism for the public to have a clear understanding of the program.

Mr. Spickelmier suggested using 85% of participation of landowners as a threshold for the petition.

Jane Gilbert spoke about the condition of 150th St. She has asked for gravel to be put on the road because it's muddy and asked to put millings on the road but has been told no by Public Works.

Mr. Spickelmier indicated millings eventually degrade and cause more time and effort to fix it.

Mr. Spickelmier scheduled a PRP discussion for December 7.

Commissioner Bixby presented a document from Rob Robert regarding the Kansas Workforce Development Group which indicated Wyandotte County has 4 votes, Johnson County has 2 votes and

Leavenworth County has 1 vote. He suggested Leavenworth County consider withdrawing from the group along with funds.

Commissioner Holland indicated he has not witnessed any adverse conditions.

Mr. Hurley indicated the invitees to the meeting November 9 are county administrators from Wyandotte, Johnson and Leavenworth County and the elected officials that represent each county on the Board.

Mr. Hurley advised the Leavenworth County received the annual \$100,000 payment from the city of Tonganoxie for County Road 1.

The Board adjourned at 12:11 p.m.

Final Approved

*****November 12, 2015*****

The Board of County Commissioners met in regular session on Thursday, November 12, 2015. Commissioner Holland, Commissioner Bixby, Commissioner Graeber present. Also present: Patrick Hurley, County Administrator, David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Jillian Ogden, Planning Coordinator; Larry Malbrough, Information Systems Director; Tamara Copeland, Human Resources Director; Joe Herring, Herring Survey; 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 November 9, 2015 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner to approve the agenda for the week of November 16, 2015.

Motion passed, 3-0.

Jeff Joseph presented the quarterly report for Planning and Zoning indicating there has been an increase in building permits.

Mr. Joseph indicated Resolution 2015-16 was approved in June 2015. He presented a new resolution outlining changes to the legal description that was presented in Resolution 2015-16.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve changes to the legal description.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve and execute Resolution 2015-43, a resolution supplementing Resolution 2015-16 by more fully describing the property subject to the special use permit granted by Resolution 2015-16.

Motion passed, 3-0.

Commissioner Graeber commented that Planning and Zoning are reviewing all the special use permits to ensure they are in compliance.

Commissioner Bixby received a complaint from Kelly Bingham with Bingham Landscaping indicating he was told he needed a permit to fix a septic problem. Mr. Bingham had found another contractor had done two other repairs that a permit was not issued for and brought this to the attention of Leavenworth County. Mr. Bingham was told he would be fined double what the normal fee would be if he proceeded with the work.

Mr. Joseph indicated a policy is in place and treat all contractors equally.

Jillian Ogden indicated there was a misunderstanding when Mr. Bingham was going to start work and when the permit was able to be signed and paid for, however it has been resolved.

Planning and Zoning presented Case Number DEV-15-120 a request for buildability determination. The applicant is requesting a determination of the buildability of a tract of land located at the end of Ida Road east of 227th St. The property was created by deed and not in accordance with the regulations in 2003. The 6.6 acre parcel was originally portion of an 11 acre tract of land where it was split.

Jillian Ogden indicated per Leavenworth County Zoning and Subdivision regulations these parcels could only be divided through a plat and additionally the parcel does not have 300 feet of road frontage required at its time of creation. She indicated standard procedure would require the owner or potential buyer request a variance from the Board of Zoning Appeals and if approved plat the property or build a road to acquire the necessary road frontage.

Ms. Ogden indicated in 2007 there was a letter from Chris Dunn, a former Planning and Zoning Director, indicating the property is buildable due to a verbal assurance through the owner from a staff member. His letter indicates that a record of the planner's conversation is on file but Ms. Ogden indicated they could not find that documentation.

Commissioner Graeber asked about the letter from Chris Dunn and how to deal with it.

Mr. Joseph indicated if it requires a variance it will need to go to the Board of Zoning Appeals for the road frontage. If a cul de sac is built the property could be platted and that would give additional right of way.

David Van Parys present at 9:22 a.m.

Mr. Van Parys indicated the property has been conveyed several times since the issuance of the letter and there could be legal argument the county is estopped by affirmative statements made by staff.

Joe Herring indicated he surveyed the property in 2003. He indicated the letter written by Chris Dunn states the property can be transferred in good faith as a buildable tract.

Mr. Van Parys suggested the BOCC stand by the letter but urge the seller or purchaser to obtain a variance or plat the parcel.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to affirm letter from former planning and zoning director regarding parcel 114-20-0-00-00-007.01-0-01 and urge seller or purchaser to work with planning and zoning to resolve buildability and annotate deed to reference letter.

Motion passed, 3-0.

Larry Malbrough presented the quarterly report for Information Systems indicating expenditures are on track and requested disposal of surplus equipment at the Transfer Station utilizing e-waste services.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve disposal of surplus IT equipment at the Transfer Station.

Motion passed, 3-0.

Mr. Malbrough requested to replace the workstation in the BOCC meeting room that is outdated.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the replacement of the workstation in the BOCC meeting room.

Motion passed, 3-0.

Commissioner Bixby requested a workstation in his office to print work product.

Tamara Copeland presented the quarterly report for Human Resources indicating employee totals are up by 4 employees. There is a 98% increase in turnover mainly for temporary/seasonal positions, retirements, salary and work environment.

Ms. Copeland attended the KERIT Board meeting on October 13 where one of the discussions centered on active shooter situations. She will be working with the Sheriff's Department and the Safety Committee to come up with a plan.

Leavenworth County received the Gold level "Breastfeeding Employees Support Award" awarded to businesses that support services to their breastfeeding employees.

Ms. Copeland indicated the County's pay plan structure needs to be reviewed to ensure like positions are aligned correctly across departments and to ensure position salaries are within tolerances of prevailing markets.

Ms. Copeland requested the 1.5% COLA go into effect January 6, 2016.

It was the consensus of the Board for 1.5% COLA go into effect January 6, 2016.

Ms. Copeland requested adopting the 2016 Elected Officials salary. She indicated payroll has to be in on December 23 to properly pay the elected officials their salaries.

Ms. Copeland requested approval for the base salary for the County Clerk that includes additional salary for being the elections officer.

Pat Hurley explained the base salaries for elected officials are annually set by the BOCC. There are two officials that get additional salaries, County Treasurer and County Clerk. The County Treasurer has a statutory formula based on number of transactions and the County Clerk serves as the chief election officer.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to continue the 2016 base salaries the same as for 2015 with the County Clerk receiving same additional amount as the County Treasurer.

Motion passed, 2-0 Holland voting nay.

Ms. Copeland presented three options for the 2016 Leavenworth County holiday schedule. Option one would allow one full day for Christmas Eve and allow two personal leave days, option two would allow one full day for Christmas Eve and allow observance of President's Day with one personal leave day and option three would be status quo to keep the holiday schedule the same.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve option one, allowing one full day for Christmas Eve and allow two personal leave days.

Motion passed, 3-0.

Ms. Copeland indicated the County received a KERIT dividend check for worker's compensation in the amount of \$70,385.00 and suggested creating a contingency tax and stabilization reserve fund to use for future expenditures that were not anticipated.

A motion was made by Commissioner Holland to approve the KERIT dividend be put into a contingency tax and stabilization reserve fund.

Mr. Hurley indicated he would check with Janet Klasinski if the KERIT refund was anticipated in the general fund budget.

Commissioner Bixby requested this item placed on the agenda for Monday, November 16.

Commissioner Holland withdrew his motion.

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.

A motion was made by Commissioner Bixby to approve Resolution 2015-44, a resolution to approve Elected Officials salaries.

Motion dies for lack of second.

The Board adjourned at 10:47 a.m.

Final Approved

*****November 16, 2015*****

The Board of County Commissioners met in regular session on Monday, November 16, 2015. Commissioner Holland, Commissioner Bixby present, Commissioner Graeber absent. Also present: Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; Tamara Copeland, Human Resources Director; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve the November 12, 2015 meeting minutes as amended.
Motion passed, 2-0.***

Tamara Copeland advised that the County received approximately \$70,000.00 from KERIT. She proposed creating accordingly a fund for future use. The County budgeted \$30,000.00 in anticipated KERIT money so \$40,000.00 could go into a new reserve fund.

Janet Klasinski now present at 9:07 a.m.

Commissioner Bixby indicated he would like to see this fund bridge the gap when employees are in medical crisis or undue hardships.

Pat Hurley indicated the Guidance Center requested a letter of support from the BOCC for the application for a 5310 KDOT grant for operating funds.

***A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve a letter of support to the Guidance Center for the application of a 5310 KDOT grant.
Motion passed, 2-0.***

Mr. Hurley indicated an email was received from a resident regarding Sewer District #3 and Mr. Van Parys will advise as to how to proceed.

Commissioner Bixby indicated he would be available later in the day for the Southern Leavenworth County Leadership Development tour, but not for the luncheon.

Ms. Klasinski indicated Ms. Copeland's figures were correct in the amount of the KERIT refund.

***A motion was made by Commissioner Holland and seconded by Commissioner Bixby to start the contingency tax and stabilization reserve fund with \$40,000.00 left from the KERIT refund.
Motion passed, 2-0.***

Ms. Klasinski indicated June's Cottage is available December 9 for the Legislative Breakfast.

Commissioner Holland suggested inviting the cities to attend.

Commissioner Holland and Commissioner Graeber will be attending the CCA Community Luncheon on November 18.

Mr. Hurley indicated he will prepare several different scenarios reflecting the potential impact on the county budget with regards to the tax lid bill at the Legislative Breakfast.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to go into Executive Session for 10 minutes to discuss non-elected personnel. Present: The two Commissioners, Pat Hurley and Tamara Copeland, Executive session began 9:34 a.m.

Motion passed, 2-0.

Commission returned from executive session at 9:44 a.m., no official action was taken.

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

Motion passed, 2-0.

Commissioner Holland indicated there were three purchase orders presented to the BOCC that have not been signed. These involve purchases by the Leavenworth County Treasurer paid from the technology fund and other funds.

Commissioner Bixby indicated it was not within the County's purchasing policy for the Treasurer to purchase the security equipment and indicated he would not sign the invoice to pay the purchase.

Commissioner Holland referenced other purchases that were invoiced from the technology fund and purchases invoiced from the general fund.

Mr. Hurley indicated he has requested all purchase orders be reviewed by Deputy County Counselor, Roger Marrs and analyze what are appropriate expenditures for those purchase orders.

The Board adjourned at 10:07 a.m.

*****November 19, 2015*****

The Board of County Commissioners met in regular session on Thursday, November 19, 2015. Commissioner Bixby, Commissioner Graeber present, Commissioner Holland absent. Also present: Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp spoke about the contingency tax and stabilization reserve fund approved by the BOCC indicating a no fund warrants would be better suited for the taxpayers.

ADMINISTRATIVE BUSINESS:

Commissioner Bixby indicated the minutes from November 16, 2015 will be approved on November 23, 2015 indicating Commissioner Holland is absent today and Commissioner Graeber was absent November 16 and would have to abstain.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the agenda for the week of November 23, 2015 to include two sessions on Monday, November 23 due to the Thanksgiving holiday.

Motion passed, 2-0.

Commissioner Bixby will be attending the MARC meeting on Tuesday, November 24.

Pat Hurley will schedule a luncheon with the Atchison County Commissioners to discuss recent cuts to the Juvenile Justice program.

David Van Parys now present at 9:56 a.m.

Mr. Van Parys requested an executive session for a period of 5 minutes to discuss the Sheriff's recommendations for Courthouse security.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to enter executive session for 5 minutes to discuss Courthouse security. Present: The three Commissioners, Pat Hurley and David Van Parys and Becky Matzeder. Executive session began at 9:58 a.m.

Motion passed, 2-0.

Commission returned from executive session at 10:03 a.m.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to allow David Van Parys to work with the Sheriff's Department on security projects.

Motion passed, 2-0.

It was the consensus of the Board to approve the American Heritage Girls to conduct a bake sale on December 17 or December 31.

The Board adjourned at 10:09 a.m.

The Board reconvened at 10:10 a.m.

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

Motion passed, 2-0.

The Board adjourned at 10:10 a.m.

Final Approved

*****November 23, 2015*****
SESSION I

The Board of County Commissioners met in regular session on Monday, November 23, 2015. Commissioner Holland, Commissioner Bixby and Commissioner Graeber present. Also present: David Van Parys, County Counselor; Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; John Forslund, P.E.; Mike Spickelmier, Public Works Director; Doug Smith, Road and Bridge; Gary Ahlquist, Resident; John Matthews, Resident; Joe Herring, Herring Survey; Dave Thiel, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Dave Thiel spoke about a lot split on Ida Road east of 227th St. and is an adjoining land owner to this property.

David Van Parys reminded BOCC that a member of the planning staff gave verbal assurance to the property owner that the lot was buildable and subsequent to that a letter was issued by the Planning and Zoning director that ratified that statement.

Mr. Thiel indicated it was originally on the market as a 12 acre tract and the lender would only sell the house and 5 acres in order to get the loan and the deal did not go through. He indicated later on the owner talked the buyer into pursuing the loan for 5 acres and she would deed them the 7 acres for \$1.00 at closing. The owner later backed out of the agreement.

Mr. Van Parys indicated the BOCC did not deny the letter that was issued by the former Planning and Zoning director but urged the buyers to take measures that remove doubt about the buildability.

Joe Herring spoke about a driveway request on a tract split located at 195th and Millwood Rd indicating the owner is requesting a waiver for additional right of way.

Mike Spickelmier indicated anytime there is a property division, Leavenworth County requests the owner provide the right of way that is to current standards to make road improvements.

ADMINISTRATIVE BUSINESS:

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.

Commissioner Holland proposed on behalf of Hallie Hughes and Becky Matzeder to collect donations from staff to purchase hams for the local food banks.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve collection of donations to purchase of hams for local food banks.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve the November 16, 2015 meeting minutes as amended.

Motion passed, 2-0, Graeber abstaining.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the November 19, 2015 meeting minutes.

Motion passed, 2-0, Holland abstaining.

Commissioner Bixby reopened the minute discussion at 9:28 a.m. for the November 19 minutes to reflect the motion for executive session to include the Sheriff's recommendation for Courthouse security.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the November 19, 2015 meeting minutes as amended.

Motion passed, 2-0, Holland abstaining.

Gary Ahlquist asked the BOCC for a variance for an additional entrance to his property to access a building indicating the only entrance to the building he would have to drive over his leach field.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the variance for an additional driveway entrance.

Motion passed, 3-0.

John Forslund requested additional funding for add-on items for the new Annex building to include security cameras, chairs, desks and wall plaque and establish a ribbon cutting date for the opening.

Mr. Forslund indicated the add-on items total \$15,000.00 while the contract has \$12,500.00 remaining in the contingency line item so an increase of \$3,000.00 would be needed.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve \$15,000.00 for the add-on items with \$3,000.00 from the 215 account and with the condition to take the Sheriff's recommendation on the size of the security monitors.

Motion passed, 3-0.

Mr. Forslund recommended December 30, 2015 for ribbon-cutting ceremony.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve December 30, 2015 for a ribbon cutting ceremony for the new Annex building.

Motion passed, 3-0.

The Board adjourned Session I at 9:54 a.m.

*****November 23, 2015*****
SESSION II

The Board of County Commissioners met in regular session on Monday, November 23, 2015. Commissioner Holland, Commissioner Bixby and Commissioner Graeber present. Also present: David Van Parys, County Counselor; Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; Mike Spickelmier, Public Works Director; Doug Smith, Road and Bridge; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Session II began at 9:54 a.m.

There were no public comments

ADMINISTRATIVE BUSINESS:

Mike Spickelmier indicated the asphalt alternative for 171st and Gilman Rd is not an option at this time with the recent cold and anticipated precipitation.

Mr. Spickelmier recommended adopting the low bid for a vehicle storage structure to be constructed at the Leavenworth County Shop.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the low bid from Rising Sun Building Systems for a vehicle storage structure at the Leavenworth County Shop.

Motion passed, 3-0.

Mr. Spickelmier indicated the 2015 budget has funds to cover proposed pay modifications for all Public Work employees. The 2016 budget would require a budget modification of approximately \$202,000.00.

Pat Hurley indicated Human Resources is working on upgrading pay plans and has asked Mr. Spickelmier to give his proposal to Human Resources.

Commissioner Bixby requested to table the pay modification item until the pay plan is completed by Human Resources.

David Van Parys requested an Executive Session not to exceed 10 minutes to discuss potential litigation.

A motion made by Commissioner Graeber and seconded by Commissioner Bixby to go into Executive Session for 10 minutes to discuss potential litigation. Present: The three Commissioners, Pat Hurley and David Van Parys. Executive session began at 10:28 a.m.

Motion passed, 3-0.

Commission returned from executive session at 10:38 a.m., no official action was taken.

Mr. Van Parys requested the BOCC convene as the Board of Directors of Sewer District #3.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to recess as the BOCC and reconvene as the Board of Directors of Sewer District #3.

Motion passed, 3-0.

Mr. Van Parys requested the Board of Directors schedule a public hearing on the assessment resolution for Sewer District #3 for December 17, 2015 at 11:00 a.m.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to schedule a public hearing for Sewer District #3 for December 17, 2015 at 11:00 a.m.

Motion passed, 3-0.

Mr. Van Parys advised he will work with Public Works on publication notice and mail notice to the property owners.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to end the session as the Board of Directors for Sewer District #3 and resume as the BOCC.

Motion passed, 3-0.

The Board recessed for 3 minutes.

Mr. Van Parys indicated in 2001 a couple inquired about a building permit but had signed an easement granted Leavenworth County an additional 40 foot right of way over a tract of property they were considering buying. The easement was not signed by the lawful owners of the property and the lawful owners are requesting the County to release the invalid easement.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to release easement and authorize the Chairman to sign the release of easement.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the agenda for the week of November 30, 2015.

Motion passed, 3-0.

The Board recessed at 10:51 a.m. to review bills for the remainder of the day.

*****November 30, 2015*****

The Board of County Commissioners met in regular session on Monday, November 30, 2015. Commissioner Holland, Commissioner Bixby, Commissioner Graeber present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Janet Klasinski, County Clerk; Becky Matzeder, Executive Secretary; John Matthews, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp commented about the article in the Leavenworth Times regarding pay raises for Public Works and advised the BOCC to stay within the budget.

ADMINISTRATIVE BUSINESS:

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

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the November 23, 2015 meeting minutes Session II as amended.

Motion passed, 3-0.

Janet Klasinski indicated the Fairmount Township clerk position is open due to the resignation of Roger Brandt. She indicated 4 applicants have applied for the position and each applicant must reside in Fairmount Township and be a registered voter in order to qualify.

Commissioner Bixby requested to table this until Thursday's agenda.

Ms. Klasinski indicated in January the lease will be up on the mail equipment. She indicated she looked at new equipment from Pitney Bowes and Lineage that includes the same level of service now provided.

Ms. Klasinski indicated service from Lineage would cost \$298.40 per month and Pitney Bowes at \$415.60 per month with a five year lease. She requested the BOCC to approve the contract with Lineage.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Lineage contract for new mailroom equipment and services.

Motion passed, 3-0.

Pat Hurley indicated a work session is scheduled in Leavenworth for December 8 at 11:00 a.m. with the Atchison County Commissioners.

Mr. Hurley indicated the Port Authority is looking at sites in Lansing and Leavenworth for a new industrial park as well as upgrades to the park in Tonganoxie. They will be visiting with municipalities and the County to discuss funding.

David Van Parys requested a 10 minute executive session to discuss pending and potential litigation.

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.

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.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to go into Executive Session for 10 minutes to discuss pending and potential litigation. Present: The three Commissioners, Pat Hurley and David Van Parys, Executive session began 9:36 a.m.

Motion passed, 3-0.

Commission returned from executive session at 9:46 a.m., no official action was taken.

Mr. Hurley indicated Tamara Copeland will be available Thursday to discuss the pay plan.

The Board adjourned at 9:57 a.m.

Final Approved