*******January 4, 2016*******

The Board of County Commissioners met in regular session on Monday, January 4, 2016. Commissioner Bixby, Commissioner Graeber, Commissioner Holland present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Trevor Huhn, Buildings and Ground; Andy Dedeke, Leavenworth County Sheriff; 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 December 31, 2015 meeting minutes. Motion passed, 2-0, Graeber abstaining.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the December 24, 2015 meeting minutes. Motion passed, 2-0, Holland abstaining.

Commissioner Bixby proposed to go out for RFP's and cost estimates for the signage at the Leavenworth County Annex.

Andy Dedeke presented a resolution setting the rate of pay for work release inmates. The Sheriff has the authority to raise or lower the work fee as necessary not to exceed \$20.00 per day.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve and execute Resolution 2016-1, a resolution regarding the setting of work release fees to be charged those inmates of the County Jail participating in said program, as pursuant to K.S.A. 19-1930 (d). Motion passed, 3-0.

Pat Hurley presented grants from the Council on Aging that has previously been signed and approved, however changes were made due to clerical errors.

Commissioner Bixby indicated he would like know what the changes are before he signs them.

David Van Parys proposed extending the assessment payments for Sewer District #3 14 days from January 19, 2016.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the extension of assessment payments for Sewer District #3 until February 2, 2016. Motion passed, 3-0.

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 adjourned at 9:36 a.m.

*******January 7, 2016*******

The Board of County Commissioners met in regular session on Thursday, January 7, 2016. Commissioner Bixby, Commissioner Graeber, Commissioner Holland present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; James Kraatz, Planning Coordinator; Jill Ogden, Planning Coordinator; Krystal Davis, Planning Coordinator; Linda Lobb, Council on Aging Director; Kathy Miller, Council on Aging; Chris Brewster, City Planner for Tonganoxie; Don Brown, L.A.W.S.; John Richmeier, Leavenworth Times

Residents: Garry Caldwell, Troy McKitrick, Larry DeMoss, George Hurley, Jim Cunningham, Tom Giefer, Dustin Anaya, Larry Hahn, Joe Herring, Dan Lynch, Andrea Weishaubt, Gary and Stephanie Liebling, Corbin Hodges, Crystal Swann Blackdeer

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the January 4, 2016 meeting minutes. Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approval of the agenda for the week of January 11, 2016. Motion passed, 3-0.

Linda Lobb presented revised grants that had previously been approved and signed, however contained clerical errors.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve and authorize the Chairman to sign grants for Council on Aging. Motion passed, 3-0.

Planning and Zoning presented case number DEV-15-115 & 116, an application for a preliminary and final plat for Cocheta Crossing. The applicant is requesting approval of a five lot subdivision.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the preliminary and final plat for Cocheta Crossing, with modification replacing fire hydrant with a clean out, subject to all other conditions. Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-121 & 122, consideration of a final plat for Crosby Addition. The applicant is requesting the approval of a two lot subdivision.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the final plat for Crosby Addition, subject to all conditions. Motion passed, 3-0. Planning and Zoning presented Case Number DEV-15-113, a rezoning from RR-2.5 rural residential to B-3 General Business district.

James Kraatz indicated this has a valid protest petition that requires a unanimous vote.

Chris Brewster, City Planner for Tonganoxie indicated he reviewed this request and this site falls in the long term growth area and is not consistent with the comprehensive plan due to lack of infrastructure and the City of Tonganoxie does not support the application.

Commissioner Bixby opened the meeting for public hearing.

Dan Lynch spoke in favor of the rezoning indicating this fits within the comprehensive plan.

James Cunningham spoke against the rezoning indicating this felt abusive having to repeatedly come here to express concerns about property values and safety.

Commissioner Graeber asked how often can someone apply for rezoning of the same property.

David Van Parys indicated an applicant cannot reapply for the same rezoning within a twelve month period, but the law is unclear.

Stephanie Liebling, Garry Caldwell, George Henley and Larry DeMoss all spoke in opposition of the rezoning.

Mr. Lynch spoke in rebuttal indicating this is not about a propane storage business going in, but about zoning the property the way it's supposed to be zoned.

Mr. Cunningham spoke in rebuttal indicating that B-3 zoning would open up the property for anything to go in.

Commissioner Bixby closed the public hearing.

A motion was made by Commissioner Holland to approve rezoning from RR-2.5 to B-3. Motion dies for lack of second. No other motions were made. David Van Parys advised the effect is to deny the application.

Planning and Zoning presented Case Number DEV-15-117, consideration for renewal of an application for a Special Use Permit for a contractor's yard. The applicant is requesting a renewal for Kansas heavy construction.

The applicant, Tom Giefer, requested a ten year renewal.

Commissioner Bixby opened public comment.

Stephanie Liebling indicated she felt Mr. Giefer has been a model business owner.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve a special use permit for a contractor's yard for 10 years, subject to all conditions. Motion passed, 3-0. Mr. Van Parys indicated the BOCC cannot grant personal property tax exemption, but the Board of Tax Appeals can.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to donate \$1,000.00 from General Fund to L.A.W.S. Motion passed, 3-0.

Commissioner Graeber asked where the reduction issue stands with Atchison County.

Pat Hurley indicated Atchison County is offering a 50/50 split of the reduction requested by the State.

Commissioner Bixby requested a full accounting report on Monday from Sean Crittendon.

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 Graeber and seconded by Commissioner Holland to approve and execute Resolution 2016-2, issuing a special use permit for a contractor's yard. Motion passed, 3-0.

The Board adjourned at 10:46 a.m.

*******January 11, 2016*******

The Board of County Commissioners met in regular session on Monday, January 11, 2016. Commissioner Bixby, Commissioner Graeber, Commissioner Holland present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Mike Spickelmier, Public Works Director; Doug Smith, Road and Bridge; Trevor Huhn, Buildings and Grounds; John Forslund, P.E.; Tammy Saldivar, Solid Waste; Fran Keppler, Noxious Weeds; Sean Crittendon, Juvenile Justice Director; Brigid McCaully, Business Manager; John Matthews, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp commented the City of Leavenworth and Leavenworth County should coordinate on GIS department and street signs.

Commissioner Graeber indicated he thought our GIS department could provide excellent services to the City of Leavenworth.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the January 7, 2016 meeting minutes. Motion passed, 3-0.

Public Works presented their monthly report.

Bridge E-20 (Cemetery Road South of Easton over Dawson Creek), acquired right of way without eminent domain and progress moving forward.

Bridge HP-10 & HP-17 Bridge Replacement (207th St and Stranger Road), nothing new

Bridge SH-15 (Stillwell Road east of 198th Street), looking at different options.

Mr. Spickelmier indicated interviews for consultants for the Eisenhower Road project are scheduled for Friday, January 15, 2016.

Mr. Spickelmier indicated they will need to acquire right of way and get necessary easements for utilities for the 147th Street project.

John Forslund indicated surveying is complete on McIntyre Road and the design team is starting base maps.

Mike Spickelmier requested authorization to solicit for sign materials for 2016 (first half) to replenish the stockpile for sign material used for traffic control.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize Public Works to solicit for sign material. Motion passed, 3-0.

Mr. Spickelmier requested authorization to solicit for pad/drum sheepsfoot roller to replace Roller#81.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize Public Works to solicit for the replacement for Roller #81. Motion passed, 3-0.

Fran Keppler, Noxious Weeds presented the 2015 Annual Noxious Weed Eradication progress report and the Noxious Weed Management Plan 2016.

Commissioner Bixby indicated he would like the Management Plan to reflect the railroad is responsible for railroad right of ways.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and sign the Noxious Weed Management Plan as amended. Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and sign the 2015 Annual Noxious Weed Eradication progress report. Motion passed, 3-0.

Mr. Spickelmier requested authorization to replace a skid steer loader at the Transfer station using depreciation.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize Public Works to solicit for the replacement of a skid steer loader. Motion passed, 3-0.

Mr. Spickelmier requested authorization to solicit for waste hauling services at the Transfer Station.

Tammy Saldivar indicated Z-Force has taken over hauling for Waste Management Deffenbaugh and there are continuing issues with providing trailers.

David Van Parys indicated the agreement signed between Leavenworth County and Deffenbaugh Industries did contain a provision that prohibited either party to assign their rights of interest without the expressed written consent of the other. A letter was sent to Deffenbaugh Industries declaring they were in default of the agreement by failing to timely and consistently provide trailers for waste removal.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to authorize Public Works to solicit for waste hauling services. Motion passed, 3-0.

Mr. Spickelmier reminded the BOCC a public meeting is scheduled for January 26 at 6:00 p.m. Basehor Library for the HoneyCreek Road petition for benefit district.

Sean Crittendon presented a budget report regarding the \$28,000 grant reduction for Juvenile Services by the State of Kansas.

Commissioner Bixby stated Atchison County indicated in its letter it had not received payment from October for 2^{nd} quarter.

Mr. Crittendon indicated on December 11, 2015, Atchison received payment. The payment was delayed because Atchison could not balance its records.

It was the consensus of the Commission to have Mr. Crittendon in the future to copy both Atchison and Leavenworth County chairpersons on dates, timelines, grants, or any financial issues.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the 50/50 split on the grant reduction with Atchison County and to advise Atchison County of this action. Motion passed, 3-0.

The Board recess for 5 minutes at 10:10 a.m.

The BOCC adjourned SINE DIE at 10:15 a.m.

The BOCC Meeting reconvened at 10:30 a.m. for the Board to reorganize for 2016.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber that Commissioner Bixby serves as temporary Chairman. Motion passed, 2-0, Bixby abstaining.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to appoint Commissioner Holland as the Chairman for 2016. Motion passed, 2-0, Holland abstaining.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby that the BOCC continue with the same meeting schedule in 2016 as in 2015. Motion passed, 3-0.

Janet Klasinski indicated a request was received by Tonganoxie Mirror to submit bid as official county newspaper.

David Van Parys indicated there are certain statutory requirements to serve as official county newspaper.

Ms. Klasinski indicated she will send RFP's out for the newspaper.

The Leavenworth Times will remain the official newspaper until bid is awarded.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to continue Commerce Bank as the official depository for 2016. Motion passed, 3-0.

Ms. Klasinski indicated the mileage reimbursement has reduced to .54 cents per mile.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the proposed Bill Days as outlined in the Memorandum presented by the County Clerk and mileage reimbursement in the amount of 54 cents per mile. Motion passed, 3-0.

Ms. Klasinski reviewed the reapportionment of the commission districts and believes the districts do not need to change.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to hold two session meetings on Thursday, January 21, 2016 due to Monday, January 18, 2016 being a holiday. Motion passed, 3-0. Commissioner Bixby will be attending the LCDC Annual Meeting, Friday, January 15, 2016. The Board adjourned at 10: 56 a.m.

*******January 14, 2016*******

The Board of County Commissioners met in regular session on Thursday, January 14, 2016. Commissioner Holland, Commissioner Graeber, Commissioner Bixby present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Mike Spickelmier, Director of Public Works; Roger Marrs; Deputy County Counselor; Joe Herring, Herring Survey; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the January 11, 2016 meeting minutes. Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of the agenda for the week of January 18, 2016. Motion passed, 3-0.

Jeff Joseph presented a tract split at 195th and Millwood and per regulations they should provide the County additional right of way.

Joe Herring indicated the client owns $\frac{1}{2}$ mile of road frontage that dead ends at the north end. The applicant is requesting a waiver of the additional right of way.

David Van Parys indicated the BOCC could appropriately consider the request.

A motion to waive the dedication of additional right of way at 33967 195th St., Easton, KS was made by Commissioner Graeber and seconded by Commissioner Bixby for discussion

Commissioner Bixby indicated he did not want to get in the habit of waiving right of way dedication.

but not to change County policy. Motion passed, 3-0.

Roger Marrs presented an offer to purchase tax sale real estate that received no bids.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to accept bid on tax sale real estate.

Motion passed, 3-0.

Pat Hurley presented a letter to the Atchison County Commissioners advising Leavenworth County was agreeable to the grant reduction 50/50 split between Atchison and Leavenworth counties.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of the letter.

Motion passed, 3-0.

Pat Hurley discussed whether a project manager should be considered for the sales tax road projects.

Commissioner Holland indicated he thought it would be a good step to move the projects forward.

Mike Spickelmier indicated the workload is escalating on the projects and to have someone in direct coordination with the sales tax projects would be beneficial.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to authorize Public Works to begin search for a project manager or contract firm for the sales tax projects. Motion passed, 3-0.

A motion was made by Commissioner Bixby to authorize Public Works to search for a third engineer for secondary road projects seconded by Commissioner Holland for discussion

Mr. Spickelmier indicated he would like time to look at costs before considering hiring a third engineer.

Motion withdrawn.

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, 3-0.

Mr. Van Parys indicated due to the hard work of the Safety Committee, Leavenworth County received a 10 on the performance report from KERIT.

Commissioner Bixby requested Pat Hurley to draft a letter to recognize the dedication and hard work of the Safety Committee.

Pat Hurley presented a draft letter addressed to Kansas legislators concerning the tax lid issue reiterating Leavenworth County's opposition. He advised a bill was introduced to advance the effective date to July 1, 2016 and eliminating all exceptions and that Governor Brownback endorsed it.

Commissioner Bixby will be attending the KCATA conference in Washington D.C March 13-15, 2016.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby requesting an executive session for a period of 10 minutes to discuss attorney/client communications. Motion passed, 3-0.

Motion withdrawn.

The Board adjourned at 10:51 a.m.

*******January 21, 2016******* SESSION I

The Board of County Commissioners met in regular session on Thursday, January 21, 2016. Commissioner Holland, Commissioner Graeber, Commissioner Bixby present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp suggested going to the taxpayers and substituting 4-H Road for McIntyre Road in road improvements for the sales tax projects.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the January 14, 2016 meeting minutes as amended. Motion passed, 3-0.

Pat Hurley presented a letter expressing appreciation for the work of the Safety Committee on the KERIT evaluation.

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, 3-0.

Mr. Hurley presented a draft letter addressed to each legislator opposing the tax lid.

Commissioner Graeber felt it was important to send the letter so there is a record we have not supported it.

Commissioner Bixby indicated the City of Basehor has adopted the Leavenworth Times as their official newspaper indicating at the end of 2015, the Basehor Sentinel and the Bonner Springs paper ceased publication.

David Van Parys requested authorization to close sale of the 4-H property for a sum of \$90,000.00 with a balance of \$17,500.00 due upon the County acquiring a clear title to the remainder of the property.

A motion was made by Commissioner Graeber seconded by Commissioner Bixby to approve the closing sale of the 4-H property.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby requesting an executive session for a period of 10 minutes to discuss attorney/client communications. Present: The three Commissioners, Roger Marrs. Executive session began 9:32 a.m. Motion passed, 3-0.

Commission returned from executive session at 9:42 a.m., no official action was taken.

The Board adjourned Session I at 9:44 a.m.

*******January 21, 2016******* SESSION II

The Board of County Commissioners met in regular session on Thursday, January 21, 2016. Commissioner Holland, Commissioner Graeber, Commissioner Bixby present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp complimented the City and County on snow removal.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby for approval of the agenda for the week of January 25, 2016. Motion passed, 3-0.

Commissioner Holland requested an executive session for 15 minutes to discuss non-elected personnel.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby requesting an executive session for a period of 15 minutes to discuss non-elected personnel. Present: The three Commissioners, Pat Hurley. Executive session began 9:55 a.m. Motion passed, 3-0.

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

Commissioner Bixby requested permission to have Information Systems post pictures taken at the Leavenworth County Annex open house ceremony on the county website and social media.

It was the consensus of the Board to have Information Systems to post the pictures.

The Board adjourned Session II at 10:15 a.m.

*******January 25, 2016*******

The Board of County Commissioners met in regular session on Monday, January 25, 2016. Commissioner Bixby, Commissioner Graeber, Commissioner Holland present. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Mike Spickelmier, Public Works Director; John Forslund, P.E.; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the January 21, 2016 meeting minutes Session I and Session II. Motion passed, 3-0.

Mike Spickelmier presented the selection of the design consultant on the Eisenhower road project. He indicated the consultant interviews were conducted on January 15, 2016 and Wilson and Company was the first place selection.

Commissioner Holland indicated he continues to receive complaints on the Eisenhower, Shrine Park Road and Desoto Road intersection.

Mr. Spickelmier indicated it would need to be negotiated under a separate contract because it was not included in the sales tax project outline and is the responsibility of the city of Leavenworth and Lansing.

Commissioner Bixby requested Pat Hurley obtain traffic counts and accident information from city of Leavenworth and city of Lansing on that intersection for the meeting tomorrow.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to authorize Public Works to solicit a proposal from Wilson and Company for the design of the Eisenhower road project.

Motion passed, 3-0.

The Board adjourned at 9:47 a.m. to review bills for the remainder of the day.

*******January 28, 2016*******

The Board of County Commissioners met in regular session on Thursday, January 28, 2016. Commissioner Bixby, Commissioner Graeber, Commissioner Holland present. Also present: Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; James Kraatz, Planning Coordinator; Joe Herring, Herring Survey; Steven and Vera King, Residents; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the January 25, 2016 meeting minutes. Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-15-124 a request for a Special Use Permit for a contractor's yard for the storage of contacting material and equipment.

A public hearing is required.

Steven King, the applicant, requested the closing time to be adjusted to 5:00 p.m. and a 10 year permit.

No one spoke in opposition.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the special use permit with the amended conditions to extend hours to 5:00 p.m. and 10 year permit. Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve and execute Resolution 2016-3, a resolution issuing a special use permit for a contractor's yard for Stranger Creek Pools subject to all conditions.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of the agenda for the week of February 1, 2016. Motion passed, 3-0.

Patrick Hurley and David Van Parys attended a joint meeting with the City of Leavenworth and City of Lansing to discuss the Eisenhower Road Project. He indicated Mr. Van Parys is drafting a MOU.

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, 3-0.

Commissioner Bixby and Commissioner Holland attended the MARC meeting on Tuesday. Commissioner Bixby indicated they are on track to do what is scheduled.

Commissioner Bixby indicated the Healthy Neighborhood Initiative introduced by Representative Willie Dove gives counties authority to make properties with dilapidated buildings safe is now House Bill 2539 and is on the committee of the Federal and State Affairs.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of the bills that have been signed by the Commission. Motion passed, 3-0.

The BOCC were presented two letters to be signed commending Matthew Brooks and Samuel Linder achieving the rank of Eagle Scout.

The Board adjourned at 9:46 a.m.