

*****July 7, 2016 SESSION I*****

The Board of County Commissioners met in Session I on Thursday, July 7, 2016. Present are: Commissioner Holland, Commissioner Graeber and Commissioner Bixby. Also present: Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; John Matthews, Resident; Larry Van Fleet, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the June 30, 2016 meeting minutes.

Motion passed, 3-0.

Pat Hurley has been in contact with Jameson Auten from KCATA to schedule a meeting to discuss networking transportation for Council on Aging using paratransit.

Mr. Hurley indicated he would like to schedule budget hearings July 11, 2016 following the regular meeting.

The Board approved and signed a letter to the Atchison County Commissioners regarding Atchison's proposal to designate a co-chair for Juvenile Services.

David Van Parys now present at 9:38 a.m.

Mr. Van Parys has requested that bond counsel and financial advisor meet with the Board to discuss concepts for funding with regards to the three sales tax road projects and industrial parks.

Mr. Van Parys will meet with John Forslund and the 147th Street acquisition team this afternoon to discuss possible eminent domain and ongoing right of way acquisitions.

PUBLIC COMMENT:

Larry Van Fleet commented the agenda needs to be out sooner than Friday to notify the public.

Mr. Van Fleet indicated he felt Sewer District #3 assessments were purposely left off the agenda.

Mr. Van Parys indicated that during the budget process there will be a budget hearing on the agenda for all of the sewer districts that will be published.

Mr. Van Fleet indicated he has asked questions and never gets answers such as how the assessment formulation was decided.

Mr. Van Parys commented that the questions have been answered.

The Board adjourned Session I at 10:17 a.m.

*****July 7, 2016 SESSION II *****

The Board of County Commissioners met in Session II on Thursday, July 7, 2016. Present are: Commissioner Holland, Commissioner Graeber and Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; John Matthews, Resident; Larry Van Fleet, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

Session II began at 10:18 a.m.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby for approval of the agenda for the week of July 11, 2016.

Motion passed, 3-0.

The Board adjourned Session II at 10:20 a.m.

Final Approved

*****July 11, 2016*****

The Board of County Commissioners met in regular session on Monday, July 11, 2016. Present are: Commissioner Holland, Commissioner Graeber and Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Dave Lutgen, Interim Public Works Director; Trevor Huhn, Buildings and Grounds; John Forslund, P.E.; Tammy Saldivar, Transfer Station; Doug Smith, Road and Bridges; Tamara Copeland, Human Resources Director; Joe Herring, Herring Survey; John Matthews, Resident; Harold Sommerfeldt, Resident; Bev Hill, Resident; Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the July 7, 2016 Session I meeting minutes.
Motion passed, 3-0.***

***A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the July 7, 2016 Session II meeting minutes.
Motion passed, 3-0.***

Public Works presented their monthly report.

John Forslund indicated 77% of property owners have signed right of way documents on 147th street and expect 10-12 properties to go into condemnation. Mr. Forslund indicated plans will be finalized for utility relocation by July 19th.

Mr. Forslund indicated a meeting with property owners on the McIntyre Road project is scheduled for August 10th from 6:00 p.m. to 7:30 p.m at Lansing City Hall conference room.

Commissioner Holland requested an estimate for 6 inch black top versus chip and seal on McIntyre Road from K-7 to Highway 5.

Mr. Forslund met with the cities of Lansing and Leavenworth and the design team about alignment issues on the Eisenhower Road project indicating they are looking at different alignment options to minimize property acquisition.

Tammy Saldivar requested approval to advertise bid for a new cardboard baler.

Commissioner Holland and Commissioner Graeber commended the staff of the Transfer Station for cleanliness and hard work.

***A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to authorize Public Works to solicit bids for a new cardboard baler.
Motion passed, 3-0.***

Ms. Saldivar was approached by the city of Lansing to combine the county wide cleanup and the city of Lansing's cleanup proposing a month long event for April 2017.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to combine the county wide clean up with the city of Lansing.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to dispose of a HHW trailer, conveyer belt and skid steer bucket on Purplewave.

Motion passed, 3-0.

It was the consensus of the Board to hold the county wide cleanup this fall.

Trevor Huhn requested authorization to replace a Bobcat Tool Cat used for mowing sewer lagoons and snow removal.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to authorize Public Works to solicit bids for replacement of a Bobcat Tool Cat.

Motion passed, 3-0.

Commissioner Holland requested two stalls designated for the public in the south parking lot be marked public parking only.

David Lutgen requested to approve the low bid from Hutchinson Salt Company in the amount of \$51.85 per ton for rock salt.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the bid from Hutchinson Salt Company.

Motion passed, 3-0.

Mr. Lutgen indicated Bridge E-20 construction started today and is expected to be completed mid-October.

Mr. Lutgen indicated soil borings on Mt. Olivet Road are completed and is scheduled to meet with Alpha Omega on July 15 to discuss the findings and solutions for repairs.

Mr. Lutgen indicated the design has started on 179th Street and is anticipated to be complete mid to late August.

Mr. Lutgen commented that Public Works is still waiting for Level 3 to switch over to their new fiber on the 207th Street project.

Commissioner Holland suggested calling Congresswoman Lynn Jenkins and Senator Jerry Moran's offices to put pressure on Level 3 to move along the project.

Mr. Lutgen spoke with KDOT about sharing costs for dust control on area roads due to the closure of the bridge on K-32.

Commissioner Bixby requested an executive session to discuss potential litigation for 10 minutes reconvene 10:15 a.m.

Mr. Van Parys stated the motion is in order under attorney/client privilege to enter executive session for 10 minutes to reconvene in this office at 10:15 a.m. for the purpose to discuss potential litigation present: The three Commissioners, David Van Parys, Pat Hurley and David Lutgen.

A motion was made by Commissioner Graeber seconded by Commissioner Bixby in order to preserve attorney/client privilege to enter executive session for 10 minutes to reconvene in this office at 10:15 a.m. for the purpose to discuss potential litigation present: The three Commissioners, David Van Parys, Pat Hurley and David Lutgen.

Motion passed, 3-0.

Commission returned from executive session at 10:15 a.m., no official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to post barricades on Loring Road between County Road 1 and Highway 24/40.

Motion passed, 3-0.

Mr. Lutgen will offer to KDOT that Leavenworth County will pay half share the cost in the amount of \$11,500.00 for dust control.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to offer to share cost with KDOT for dust control.

Motion passed, 3-0.

Tamara Copeland presented a dress code policy after receiving complaints about dress attire within the County indicating most departments have a strict dress code based upon their needs.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the dress code policy with effective date of July 18, 2016 with the condition it could be modified by the Commission.

Motion passed, 3-0.

PUBLIC COMMENT:

There were no public comments.

Commissioner Graeber shared a letter from Mark Denney that complimented an employee from the Treasurer's Department on her knowledge, courteousness and politeness.

The Board adjourned regular session at 10:34 a.m.

Budget hearings began at 11:00 a.m.

*****July 14, 2016*****

The Board of County Commissioners met in regular session on Thursday, July 14, 2016. Present are: Commissioner Holland and Commissioner Graeber, Commissioner Bixby is attending a MARC meeting . Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; John Matthews, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the July 11, 2016 meeting minutes.

Motion passed, 2-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland for approval of the agenda for the week of July 18, 2016.

Motion passed, 2-0.

Commissioner Graeber addressed a letter from the Leavenworth Historical Society requesting funds for repairs.

Commissioner Holland indicated he understood their plight but budget hearings would need to be reopened.

Pat Hurley requested executive session with Sheriff Dedeke for 15 minutes to discuss security.

David Van Parys stated the motion as in order to protect the security interest of the public and the employees of Leavenworth County that the County Commission go into executive session for 15 minutes to reconvene in this office at 9:30 a.m. for the purpose of Courthouse security. Present would be the two Commissioners, Sheriff Dedeke, David Van Parys and Pat Hurley.

A motion was made by Commissioner Graeber seconded by Commissioner Holland to enter an executive session in order to protect the security interest of the public and the employees of Leavenworth County for 15 minutes to reconvene in this office at 9:30 a.m. for the purpose of Courthouse security. Present would be the two Commissioners, Sheriff Dedeke, David Van Parys and Pat Hurley.

Motion passed, 3-0.

The Commission returned at 9:30, no official action taken.

The Board recessed until 1:30 p.m. to commence budget hearings.

*****July 18, 2016*****

The Board of County Commissioners met in regular session on Monday, July 18, 2016. Present are: Commissioner Holland, Commissioner Graeber and Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Deputy Director Public Works; Chuck Magaha, Emergency Management Director; Janet Klasinski, County Clerk; John Bradford, Kansas State Representative; John Matthews, Resident; Bev Hill, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the July 14, 2016 meeting minutes.

Motion passed, 2-0, Commissioner Bixby abstaining.

Chuck Magaha presented the Emergency Management 2016 Cooperative Agreement and requested approval of the application which is a grant that gives assistance to counties in developing disaster and assistance plans.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the Emergency Management 2016 Cooperative Agreement and have the chairman sign and date the same.

Motion passed, 3-0.

Commissioner Holland questioned an amount that the County Attorney's Office stipends for Roger Marr's salary and if the amount is reimbursed to the County Counselor's budget.

Janet Klasinski indicated the amount is reimbursed to the County Counselor's budget but it's not in addition to his salary.

Commissioner Bixby attended the MARC meeting on Thursday and indicated the application for funding for the Eisenhower Road project will be reviewed again.

Ms. Klasinski indicated a hearing date needs to be set for the 2017 budget indicating last week the local service and sewer districts were not addressed.

Ms. Klasinski indicated a mill levy increase of .5 will take care of a new roof on the Justice Center designating it only for the roof under capital improvement.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the increase the mill levy by .5 to repair the Justice Center roof.

Motion passed, 2-1, Commissioner Bixby voting nay.

Ms. Klasinski indicated Sewer District#1 will increase to \$100.00 for each connection due to the grinder pumps continually breaking.

David Lutgen commented the cost will be re-evaluated next year.

Ms. Klasinski stated the local service fund last year was 8.467 mills and after reimbursement from sewer districts with a base budget will have an increase of 0.349 mills to 8.816 mills since it's a stand alone levy.

Mr. Lutgen indicated the PRP program was listed as enhancement in the budget for 2017.

Commissioner Holland made a motion to increase the mill levy by 2.5 mills for the PRP program.

Motion dies for lack of second.

Ms. Klasinski indicated she will proceed indicating a budget approval date will be August 18, 2016 at 9:15 a.m.

PUBLIC COMMENT:

Vicki Lozenski I asked about the status of the 207th Street road project.

David Lutgen indicated the line is installed but service hasn't been switched over from the existing to the new.

Louis Klemp spoke on various items including the increase of the mill levy, replacement of the Justice Center roof, enhancements in the budgets and the MARC funding for Eisenhower Road.

Commissioner Bixby commented about the MARC meeting and the funding for the Eisenhower Road project indicating the initial scoring on the application was low due to areas being left blank.

The Board adjourned at 10:10 a.m.

*****July 21, 2016 *****

The Board of County Commissioners met in regular session on Thursday, July 21, 2016. Present are: Commissioner Holland and Commissioner Graeber, Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; David Lutgen, Deputy Public Works Director; Joe Herring, Herring Survey; John Bradford, Kansas State Representative; John Matthews, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the July 18, 2016 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby for approval of the agenda for the week of July 25, 2016.

Motion passed, 3-0.

Commissioner Holland addressed a request for a fence viewing by a resident. David Van Parys has agreed to view the fence.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the fence viewing with consent of the County Counselor.

Motion passed, 3-0.

Commissioner Holland presented a commencement letter to Alex Arriaga for the completion of the Eagle Scout project and earning Eagle Rank.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and sign the commencement letter to Alex Arriaga.

Motion passed, 3-0.

Commissioner Holland asked for approval of the increase of 2 mills in the local service mill levy for the PRP program. For the past two budget seasons, Public Works has been asked to lower their budget to stay within the mill levy. He felt that because of this it isn't raising the mil levy but putting back what was taken from their budget.

David Van Parys suggested the Board should conduct interviews with the three design teams from the sales tax projects and ask what we can afford to build.

Janet Klasinski indicated the 2 mills increase would raise \$468,000.00 to be allotted for the PRP program through the local service fund.

Mr. Van Parys indicated if the Board imposes a mill levy to local service road it only applies to the residents in the unincorporated areas of the county and can only be used to improve those roads.

A motion was made by Commissioner Holland to approve a 2 mill increase for local service road for PRP program funding.

Motion dies for lack of a second.

Ms. Klasinski indicated she will publish the proposed 2017 budget and the final approval will be August 18th, 2016 at 9:15 a.m.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the publication of the proposed 2017 budget with the half mill increase for the new roof for the Justice Center.

Motion passed, 2-1, Commissioner Bixby voting nay on the half mill levy but supporting the publication of the budget to meet the time requirements.

Commissioner Bixby indicated he is in favor of the publication of the proposed 2017 budget but is not in favor of endorsing the half mill increase for the new roof for the Justice Center.

Mr. Van Parys proposed a motion to go into executive session to protect the privacy interests of the individual to be discussed under the non-elected personnel exception.

Mr. Van Parys suggested to take public comment now then enter an executive session.

PUBLIC COMMENT:

Louis Klemp commented that Leavenworth County has openly over spent on the industrial parks and how did the city of Leavenworth cost share of city/county probation increase by 42%.

Commissioner Holland indicated the 42% increase is due to the increase of cases and the work and expense that creates.

Mr. Van Parys indicated the motion to be made should be as stated: in the interest of protecting the privacy interests of the individual to be discussed the Board moves to enter an executive session to discuss non-elected personnel for 30 minutes to resume in this office at 10:35 a.m. Present: The three Commissioners, David Lutgen and Pat Hurley.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby in the interest of protecting the privacy interests of the individual to be discussed the Board moves to enter an executive session to discuss non-elected personnel for 30 minutes to resume in this office at 10:35 a.m. Present: The three Commissioners, David Lutgen and Pat Hurley.

Motion passed, 3-0.

The Commission returned from executive session at 10:35 a.m. no official action was taken.

Mr. Van Parys requested an executive session for purpose of protecting attorney/client privileges to discuss potential litigation and to resume in this office at 10:50 a.m. Present: The three Commissioners, David Van Parys and Pat Hurley.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to enter an executive session for the purpose of protecting attorney/client privileges to discuss potential litigation and to resume in this office at 10:50 a.m. Present: The three Commissioners, David Van Parys and Pat Hurley.

Motion passed, 3-0.

The Commissioner returned from executive session at 10:50 a.m. no official action was taken.

Mr. Van Parys received a request from a property owner, Justin Sturgeon, proposing a 5 acre tract split on a 168 acre tract for a single family resident. He indicated Planning and Zoning and Public Works has requested Mr. Sturgeon to contribute additional road right of way along the 5 acre tract but also along the entire perimeter of the tract and is asking to waive the requirement along the entire perimeter.

A motion was made by Commissioner Graeber seconded by Commissioner Bixby to waive the requirement for the tract split for additional road right of way other than that which immediately adjoins the 5 acre tract to be created for property owner, Justin Sturgeon.

Motion passed, 3-0.

Commissioner Graeber asked if City/County Probation was funded through Leavenworth County.

Mr. Van Parys indicated City/County Probation is currently a county managed operation that is funded entirely through city contributions.

The Board adjourned at 10:59 a.m.

Final Approved

*****July 25, 2016*****

The Board of County Commissioners met in regular session on Monday, July 25, 2016. Present are: Commissioner Holland, Commissioner Graeber and Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; John Matthews, Resident; Tom Degenhardt, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the July 21, 2016 meeting minutes.

Motion passed, 3-0.

Commissioner Holland presented letters for the Mel Hendrick's fishing derby thanking Happy Hollow Lakes, Leavenworth Bass Club and EMS for their services.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve and sign the thank you letters for the fishing derby.

Motion passed, 3-0.

David Van Parys indicated a special use permit renewal was granted last year that required a permit by the Kansas Department of Health and Environment which is questioning the survey description of the parcel. Mr. Van Parys indicated he will be contacting KDHE to resolve the matter.

Pat Hurley requested an executive session stating that in order to protect privacy interest of the individual to be discussed the Board should go into executive session to discuss non-elected personnel with the Board to return to open session in this room at 9:30 a.m. Present would be the three Commissioners, Pat Hurley and Thomas Degenhardt.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber that in order to protect privacy interest of the individual to be discussed the Board should go into executive session to discuss non-elected personnel with the Board to return to open session in this room at 9:30 a.m. Present: The three Commissioners, Pat Hurley and Thomas Degenhardt.

Motion passed, 3-0.

The Commission returned at 9:30 a.m.; no official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber that in order to protect privacy interest of the individual to be discussed the Board should go into executive session to discuss non-elected personnel with the Board to return to open session in this room at 9:40 a.m. Present: The three Commissioners and Pat Hurley.

Motion passed, 3-0.

The Commission returned at 9:40 a.m.; no official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to allow Pat Hurley to take appropriate administrative action with non-elected personnel.

Motion passed, 3-0.

PUBLIC COMMENT:

There were no public comments.

The Board recessed at 9:48 a.m. to review bill for the remainder of the day.

Final Approved

*****July 28, 2016 *****

The Board of County Commissioners met in regular session on Thursday, July 28, 2016. Present are: Commissioner Holland and Commissioner Graeber, Commissioner Bixby. Also present: Patrick Hurley, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; James Kraatz, Senior Planner; Krystal Davis, Planning Assistant; Melissa Johnson, Code Enforcement; Tamara Copeland, Human Resources Director; Greg Kaaz, Lexeco; Joe Herring, Herring Survey

Residents: John Matthews, Jim and Sue Bishop, Kevin and Laura Raasch, Linda Sneegas, Greg Ward, Matt and Jenny Kessler, Mark Sprecker, Jerry Willburn, Gary and Stephanie Liebling, Robert and Wendy Rose, Louis Klemp

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the July 25, 2016 meeting minutes.

Motion passed, 3-0.

Commissioner Bixby requested to add a pay plan discussion to the agenda for Thursday, August 4.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of the agenda for the week of August 1, 2016 as amended.

Motion passed, 3-0.

Commissioner Holland presented two Resolutions expressing the property taxation policy of the Leavenworth County Special –Other Funds Commission and expressing the property taxation policy of the Leavenworth County Commission with respect to financing the annual budget for 2017.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve and execute Resolution 2016-21 and Resolution 2016-22.

Motion passed, 2-1, Commissioner Bixby voting nay.

Planning and Zoning presented case number DEV-16-72/073, consideration of a preliminary and final plat for Autumn Ridge indicating the applicant is requesting approval of a three lot subdivision of a 19 acre parcel.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-072/073 preliminary and final plat for Autumn Ridge subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-039, a request for a special use permit for an archery lessons and bow maintenance.

Jeff Joseph indicated the staff recommended denying the permit but the Planning Commission recommended approval.

The applicant, JP Silverstein, spoke in favor of the permit indicating the property is tiered and heavily wooded.

Commissioner Holland asked if the County is at risk if the million dollar liability insurance policy is not obtained by the applicant.

David Van Parys indicated a general liability policy would provide some protection to the County but the applicant must follow the conditions of the permit and suggested naming Leavenworth County as co-insurer not as a certificate holder.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the special use permit subject to delivering a liability insurance policy naming Leavenworth County as co-insurer.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Resolution 2016-23, issuing a special use permit for a target range for archery lessons and bow maintenance, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-063 a request to rezone from rural residential 2.5 to general business B-3.

The owner, Don Budd, spoke in favor of the rezoning indicating this property was deeded from the Bishops to the Eagles Hall and has been used for commercial use since its existence.

Jim Bishop spoke in opposition of the rezoning indicating he is not against changing zoning but is against the B-3 zoning because it's too broad. Mr. Bishop outlined issues with property such as the entrance to the property and public safety with trucks entering and leaving because of the easement.

Mr. Budd indicated Planning and Zoning recommended the rezoning, not the applicant.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the rezoning from rural residential 2.5 to general business B-3 located at 14230 Linwood Road.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Resolution 2016-24, authorizing a rezoning from rural residential to general business.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-065, a request for a special use permit for a repair facility for heavy equipment.

Jenny Kessler spoke in favor of the special use permit indicating they plan to build a berm and plant trees in order to screen the facility from neighbors. She commented that her husband has over 20 years' experience and is familiar with the environmental safety and regulation set forth by the EPA.

Greg Ward, a realtor that represents the seller, presented photos of adjoining properties and felt it would be an appropriate use of the parcel.

Stephanie Liebling spoke in opposition and expressed concerns about the continuance to ignore the zoning regulations and using special use permits to put businesses into areas that are zoned for other purposes. She indicated this is a rural residential parcel and expressed concerns about noise pollution and environmental impact from this potential business.

Larry Jacobs spoke in opposition indicating it would ruin his property values.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve case number DEV-16-065, subject to all conditions.

Motion passed, 2-1 Commissioner Graeber voting nay.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve Resolution 2016-25, issuing a special use permit for a repair service.

Motion passed, 3-0.

The Board recessed for 2 minutes.

Mr. Van Parys briefed the Board regarding the financing of the sales tax projects indicating if the County were to issue up to fifty million dollars of general obligation bonds funded by the sales tax at the conclusion of the 20 years there would be in excess of nine million dollars remaining based upon a conservative growth rate and a projected interest rate provided to the County for road improvements and economic development.

Mr. Van Parys indicated that Greg Vahrenberg with Piper Jaffary and Gina Reikof with Gilmore Bell have identified significant savings to the County by issuing general obligation bonds backed by sales tax revenue which would affect savings up to two million dollars. He indicated there are two steps to achieve this with the first being to consider the adoption of a charter resolution and the second being to utilize the community investment development districts for the two industrial parks.

Mr. Vahrenberg commented that by adopting this it is not changing anything other than getting a lower interest rate.

Ms. Reikof explained the charter resolution only addresses road projects indicating community improvement districts could be used as a potential mechanism to help economic development within an industrial park.

Mr. Van Parys requested the Board to make a motion to schedule consideration of a charter resolution regarding the opting out of K.S.A. 68-584.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to schedule consideration of a charter resolution regarding the opting out of K.S.A. 68-584.

Motion passed, 3-0.

The Board recessed for 2 minutes.

Planning and Zoning presented case number DEV-16-066, requesting a special use permit for a truck hauling business.

The applicant, Kevin Raasch, spoke in favor of the permit indicating he plans to build a residence on this property with the business and is not aware of any safety concerns and doesn't know understand the opposition.

Linda Sneegas spoke in opposition of the permit expressing concerns about property values and concerns about allowing special use permits in areas they shouldn't be.

Robert and Wendy Rose spoke in opposition expressing concern for safety and the preservation of the rural setting.

Laura Raasch, spoke in rebuttal indicating the majority of the work would be done off site and first and foremost would be a residence.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to deny case number DEV-16-066.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-067, requesting the renewal of a special use permit for a cellular tower.

Mark Sprecker, attorney for American Tower, spoke in favor of the renewal indicating he is not aware of any complaints.

Jerry Wilburn spoke about the dust and indicated the neighbors signed a petition to request to have the cell tower owners help pay to chip and seal the road.

Commissioner Bixby suggested if there is support from the neighbors for chip and seal then they should consider a benefit district.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-067, subject to all conditions.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Resolution 2016-26, issuing a special use permit for a tower, radio, television, commercial satellite earth stations and microwave.

Motion passed, 3-0.

Mr. Van Parys requested an executive session in order to preserve attorney/client privilege to discuss potential litigation to return at 12:55 p.m. in this office. Present would be the three Commissioners, Tamara Copeland, Pat Hurley and David Van Parys.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to enter executive session in order to preserve attorney/client privilege to discuss potential litigation to return at 12:55 p.m. in this office. Present would be the three Commissioners, Tamara Copeland, Pat Hurley and David Van Parys.

Motion passed, 3-0.

The Commission returned at 12:55; no official action taken.

Tamara Copeland requested an executive session to discuss personnel issues to protect the privacy of individuals being discussed for a period of 20 minutes. Present would be the three Commissioners, Pat Hurley and Tamara Copeland.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to enter executive session to protect the privacy of the individuals to discuss personnel issues to return at 1:15 p.m. Present would be the three Commissioners, Pat Hurley and Tamara Copeland.

Motion passed, 3-0.

The Commission returned at 1:15 p.m.; no official was action.

The Commission discussed the appropriate salary level of the new Public Works director.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to establish the personnel action as described at a level 8.

Motion passed, 3-0.

Mr. Van Parys requested an executive session for the purpose to maintain attorney/client privileges to discuss potential litigation to return at 1:30 p.m. in this office. Present: the three Commissioners, Tamara Copeland, Pat Hurley and David Van Parys.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to enter executive session for the purpose to maintain attorney/client privileges to discuss potential litigation to return at 1:30 p.m. in this office. Present: the three Commissioners, Tamara Copeland, Pat Hurley and David Van Parys.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve the bills for the month of July.

Motion passed, 3-0.

The Commission returned at 1:30 p.m.; no official was action taken.

PUBLIC COMMENT:

There were no public comments.

The Board adjourned at 1:30 p.m.