

*****August 1, 2016*****

The Board of County Commissioners met in regular session on Monday, August 1, 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; Jeff Joseph, Planning and Zoning Director; James Kraatz, Senior Planner; Krystal Davis, Assistant Planner; Joe Herring, Herring Survey; John Matthews, Resident; Bev Hill; Resident; Louis Klemp, Resident; Joe and Jamie Schafer, Residents; Joe and Bernadette Cothorn, Residents

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the July 28, 2016 meeting minutes.

Motion passed, 3-0.

Jeff Joseph presented an amendment to Resolution 2015-43 indicating an error in the legal description that has been corrected.

David Van Parys indicated this involves a well-established local business that requires permitting from the Kansas Department of Health and Environment. Mr. Van Parys indicated over the years the business has expanded and the County has issued three separate special use permits each with varying legal descriptions whereas KDHE is requesting one complete legal description.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve and execute Resolution 2016-27, a resolution supplementing Resolutions 2015-43, 2015-16 & 1980-2 by more fully describing the property subject to the special use permit granted in said resolutions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-054, approval of a 5 lot subdivision with minor changes to the existing lots.

Commissioner Bixby asked what the changes were.

James Kraatz indicated a change in the property line between lots 2 & 4 and less right of way on the south side of Evans Road and west side of 174th Street.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-054, Final plat for the Smith's Ponderosa Replat, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-069, replat of Lots 2, 3 and part of Lot 4 for Prairie Reserve.

Mr. Kraatz indicated there were concerns about a small part of land behind the lot.

The owner, Joe Schafer indicated this was changed by deed and the pond was larger than planned that encroached on lot 2. Mr. Shafer would like to bring their parcel into compliance to obtain a building permit for a new residence.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-069, Final plat for Prairie Reserve, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-071, requesting approval of a 17 lot subdivision as part of a previous subdivision approved in 2004 indicating this is the second phase.

Commissioner Graeber asked about the no build zone for portions of lot 6 and lot 12 due to drainage patterns that may result in extensive flooding.

Commissioner Bixby asked about structures other than homes being built on this parcel.

Mr. Joseph indicated it would be looked at on a case by case basis.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve case number DEV-16-071, Primrose Hill Estates a replat of Lot 23, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented case numbers DEV-16-074/075 approval of a 2 lot subdivision indicating this was that done by deed instead of by plat and needs to come into compliance.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-074/075 preliminary and final plat for Lawrence Farms, subject to all conditions.

Motion passed, 3-0.

Jeff Culbertson presented the quarterly report for GIS indicating the Sheriff's Department new Sungaard 911 system went live. Mr. Culbertson commented that when a 911 call comes in the dispatcher will see where the call is coming from on a map and the map layers will automatically determine which emergency unit needs to be dispatched to the call.

Mr. Culbertson indicated the groundwork for a new crime map for the County Attorney's office that could predict where and when the next crime is likely to take place.

Mr. Culbertson indicated the National Resources Conservation Service changed some soil types in Leavenworth County so GIS updated the Appraiser's maps to reflect those changes.

Megan Waters presented the quarterly report for Community Corrections indicating all staff have completed training hours for fiscal year 2016. Ms. Waters indicated she is looking to schedule and host the next regional meeting for Atchison County and the 22nd Judicial District and a Lunch and Learn to get new assistance with substance abuse and mental health services for Leavenworth County.

Ms. Waters advised Community Corrections was awarded the amount of \$218,365.86 from the Department of Corrections from a 2017 fiscal year grant and \$2,000.00 for the behavioral health grant.

Ms. Waters presented the City/County Probation office quarterly report indicating the cities are looking to restructure and do their own probation departments.

Ms. Waters predicted an increase of cases due to a law change that keeps certain crimes at a misdemeanor level keeping them at a municipal court level.

Pat Hurley indicated the cities have decided to fund and manage their own probation departments by January 1, 2017. Mr. Hurley indicated Ms. Waters will work with them during the transition.

Mr. Hurley indicated that Jameson Auten with KCATA offered to brief the Board about the para transit program and if it could be utilized in Leavenworth County.

Mr. Van Parys indicated he will schedule the fence viewing with Wayne Malnicof and Mark Buchanan.

PUBLIC COMMENT:

Louis Klemp commented that Northeast Kansas Mental Health has a transportation system and should be included on the meeting. Mr. Klemp also commented about the increase of the mill levy by the city of Leavenworth for the funding of a probation office and how there should have been more research done.

The Board adjourned at 10:14 a.m.

The Board reconvened at 10:14 a.m.

Commissioner Bixby requested an executive session to include David Van Parys and Pat Hurley for a period of 10 minutes to discuss non-elected personnel.

Pat Hurley stated the motion as in order to protect the privacy interest of the individual to be discussed the Board go into executive session to discuss non-elected personnel to return at 10:30 a.m. in this office.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber in order to protect the privacy interest of the individual to be discussed the Board go into executive session to discuss non-elected personnel to return at 10:30 a.m. in this office. Present: The three Commissioners, David Van Parys and Pat Hurley.

Motion passed, 3-0.

The Commission returned at 10:30 a.m.; no official action was taken.

The Board adjourned at 10:30 a.m.

*****August 4, 2016*****

The Board of County Commissioners met in regular session on Thursday, August 4, 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; Linda Lobb, Council on Aging Director; Tamara Copeland, Human Resources Director; Lucas Schmalbeck, Juvenile Services Director, Jeff Dedeke, Sheriff' Department Chief Deputy; Jim Sherley, Undersheriff; Chuck Magaha, Emergency Management Director; Stacy Driscoll, Register of Deeds; Larry Malbrough, Information Systems Director; Jeff Culbertson, GIS Director; Mark Buchanan, Deputy County Appraiser; John Matthews, Resident; Kelly Kultala, Resident; Diane Collins, Resident; Louis Klemp, Resident

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the August 1, 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 August 8, 2016.

Motion passed, 3-0.

Tamara Copeland presented the Blue Cross/Blue Shield rate premiums with an 18.4% increase for the 2016-2017 year. She proposed that the County begin a 91/9% cost sharing split for the single insurance plan indicating this would be a \$50.00 cost per month for the employee. She also proposed a 66/34% cost sharing split for the family insurance plan reducing the cost for the employee by \$174.84.

Commissioner Bixby suggested tabling this item until the flexible spending report is heard.

Ms. Copeland presented the flexible spending account agreement administered by AFLAC indicating it allows pre-tax dollars to be set aside to pay for eligible health care and/or dependent care expenses.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the Blue Cross/Blue Shield renewal agreement and proposed employer/employee health coverage splits for the single and the family plans.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the WageWorks Flexible Spending Account Agreement.

Motion passed, 3-0.

Pat Hurley presented a letter of support for approval for the Byrne Grant for the Sheriff's Department and The Guidance Center that provides mental health services to the inmates.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the letter of support for the Byrne Grant.

Motion passed, 3-0.

Linda Lobb requested the chairman's signature on a grant for Meals on Wheels.

Ms. Lobb presented the quarterly report for the Council on Aging requesting the release of a KDOT vehicle from the Council on Aging transportation fleet and moving it into the Nutrition and Social Services Departments.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval to ask for the KDOT vehicle release.

Motion passed, 3-0.

Ms. Lobb indicated Council on Aging would like to place a sign at the Annex to advertise senior transportation in the southern portion of the county.

Commissioner Bixby suggested coordinating with Basehor to place signage within the city.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve signage for senior transportation in rural areas.

Motion passed, 3-0.

Chuck Magaha presented the quarterly report for Emergency Management indicating they are still working on the FEMA disaster funding from the flooding this spring.

Mr. Magaha assisted on the funeral of Cpt. Melton coordinating the route from 98th and Parallel to the Leavenworth National Cemetery.

Mr. Magaha worked with Easton Country Care for an evacuation plan in the event Dawson Creek floods.

Mr. Magaha has been selected to serve on a board to seek guidance on the operations of the outdoor warning sirens. The research is being conducted by the Fire Research Division Engineering Laboratory of the National Institute of Standards and Technology.

Emergency Management has the opportunity to hire a no cost intern and requested approval from the Board.

A motion was made by Commissioner Bixby and Commissioner Graeber to approve the intern position for Emergency Management.

Motion passed, 3-0.

Lucas Schmalbeck presented the quarterly report for Juvenile Services indicating the Kansas Department of Corrections grants are splitting it up into 2 semi-annual payments as a result of changes occurring to the juvenile justice reform. Mr. Schmalbeck anticipates have to re-budget for the second payment looking at different positions with juvenile intake.

Mr. Schmalbeck indicated he has reworked the contract for truancy program with Atchison and can only guarantee until December 31, 2016 but will continue to advocate for funding for the program.

Pat Hurley requested approval to appoint Mr. Schmalbeck as Director of Juvenile Services.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve Lucas Schmalbeck as permanent director of Juvenile Services.

Motion passed, 3-0.

David Van Parys presented a proposed charter resolution that would take the County out from under the provisions of K.S.A. 68-584 to allow flexibility to issue the amount of bonds the voters authorized.

Roger Marrs is now present.

Mr. Van Parys presented a recent analysis by Piper Jaffray that projects a surplus of nine million dollars based on a 2% annual growth rate after the industrial parks and sales tax road projects.

Commissioner Holland requested to table consideration of the charter resolution until Monday for review.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve a change in the agenda for the week of August 8 to reflect the charter resolution consideration.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to recess for 3 minutes.

Motion passed, 3-0.

Tamara Copeland presented the pay plan defining the purpose of the plan as to realign like employees' wages based on regional and local data to attract and retain quality employees.

Ms. Copeland explained that 68% or 307 employees would be receiving a 2% or more increase, 80% or 363 would be receiving the same or more than a normal cost of living increase and 3% or 33 employees that would be receiving less a cost of living increase.

At 10:46 a.m. discussion occurred regarding individual positions and salaries along with appropriate step increases for realignment.

Ms. Copeland commented this pay plan will resolve most of the pay inequities at no additional cost to the county taxpayers thanks to department heads covering most of the costs with revenue, grants and restructuring of their departments.

John Richmeier is now present.

Commissioner Graeber requested Mr. Hurley to review the details of the plan to ensure equitability in pay.

Undersheriff Jim Sherley indicated the Sheriff is comfortable with the comparison of the two pay plans.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland approve the county-wide pay plan as presented with exception of the one department head receiving the pay increase as well.

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

Mr. Hurley indicated he will schedule a meeting with KCATA to speak about para-transit for the week of August 15.

Commissioner Bixby explained how the Kansas STP Priorities Committee call for projects were rated indicating Leavenworth County was three below what final funding came in at because of scoring. He commented he hopes when future projects are submitted the applications are completed entirely and traffic studies should be conducted.

PUBLIC COMMENT:

Louis Klemp spoke about various topics such as the pay plan indicating no one has the same job. He indicated the Appraiser's office does not work for the County anymore, they work for the State.

The Board adjourned at 11:37 a.m.

Final Approved

*****August 8, 2016*****

The Board of County Commissioners met in regular session on Monday, August 8, 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; Janet Klasinski, County Clerk; Fran Keppler, Noxious Weeds; John Forslund, P.E.; David Lutgen, Public Works Director; Tammy Saldivar, Solid Waste Director; Joe Herring; Herring Survey; John Matthews, Resident; Jim Karleskint, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the August 4, 2016 meeting minutes.

Motion passed, 3-0.

Commissioner Graeber mentioned an email from Gerald Hansen inquiring about EMS helping out at a barbeque next to Zeck Ford.

Pat Hurley indicated Jamie Miller responded to the email that it could cause a problem pulling an EMS vehicle out of commission.

Mr. Hurley announced Leavenworth County will receive \$975,000 in MARC funding for the Eisenhower Road sales tax project.

The Board convened as the Board of Canvassers for the August 2, 2016 primary election.

Janet Klasinski reported on the results of the primary election that occurred on August 2, 2016 indicating a total of 6,924 votes with registered voters at 48,514 less than a 15% turnout. Ms. Klasinski reported 118 provisional ballots that will be considered.

Ms. Klasinski indicated some ballots were sent back to the voters due to new sorters at the post office but recommended 5 ballots be considered that have a post mark prior to the election date.

It was the consensus of the Board to count the 5 ballots.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to count the provisional ballots that are qualified.

Motion passed, 3-0.

Ms. Klasinski announced she counted 83 provisionals to bring the total to 7,007 votes.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to certify the August 2, 2016 primary election as reported by the County Clerk with a total of 7,007 votes.

Motion passed, 3-0.

Commissioner Holland thanked David Lutgen and Commissioner Bixby for the work on obtaining funding through MARC for the Eisenhower Road project.

John Forslund indicated 90% of property owners have signed easement paperwork on 147th Street. Leavenworth County will initiate legal action this week on 7 properties.

Mr. Forslund indicated a meeting with property owners on McIntyre Road will be held on August 10 at Lansing City Hall. Mr. Forslund reported an increase in design fees with an additional \$7,800 for two retaining walls and \$5,780 for staking the new right of ways.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the increase to the BHC Rhodes design contract in the amount of \$13,580.00.

Motion passed, 3-0.

Mr. Forslund indicated the city of Leavenworth wishes to control the intersection at 20th Street and Eisenhower with traffic signals for the Eisenhower Road sales tax project.

Mr. Forslund indicated receipt of the MARC funding pushes construction out until late 2018 current schedule will be revisited because of KDOT rules and funding restrictions.

Fran Keppler indicated an engine went out on a chipper and Noxious Weed is currently renting one.

It was the consensus of the Board to repair the chipper.

David Lutgen requested authorization to solicit bids for metal culvert pipes.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for authorization to solicit bids for metal culverts pipes.

Motion passed, 3-0.

Mr. Lutgen requested approval to advertise for removal and replacement of Bridge HP 10 located on Stranger Road east of 207th Street.

A motion was made by Commissioner Graeber seconded by Commissioner Bixby for approval to advertise for removal and replacement of Bridge HP 10.

Motion passed, 3-0.

Mr. Lutgen reported Level 3 should have been completed by August 5 on relocation of fiber optic and the County will start installing cross road pipes and grading.

Mr. Lutgen indicated the pilings have been driven and working on forming and pouring abutments on Bridge E-20.

Mr. Lutgen reported the field survey work was completed on August 3 on Mt. Olivet Road and is considering letting this as a design build project.

Commissioner Bixby inquired about the 179th Street project.

Mr. Lutgen indicated the road is under design and utility companies have been notified.

David Van Parys proposed adopting a charter resolution that would exempt the County from the restrictions of a state law regarding the use of general obligation bonds.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to move the adoption of charter resolution 1 a charter resolution exempting Leavenworth County, Kansas from the provisions of K.S.A 68-584 relating to the financing of primary and secondary arterial highways and providing substitute provisions relating thereto.

Motion passed, 3-0.

PUBLIC COMMENT:

There were no public comments.

The Board adjourned at 11:48 a.m.

Final Approved

*****August 11, 2016 *****

The Board of County Commissioners met in regular session on Thursday, August 11, 2016. Present are: Commissioner Holland and Commissioner Graeber, Commissioner Bixby. Also present: Patrick Hurley, County Administrator; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Jamie Miller, EMS/Health Department Director; Bob Weber, County Appraiser; Larry Malbrough, Information Systems Director; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the August 8, 2016 meeting minutes.

Motion passed, 3-0.

Commissioner Bixby commented there have been complaints recently about amending the agenda with little to no notification to the public.

Pat Hurley indicated he will send a memo to Department Heads and Elected Officials about a 48 hour notice of items placed on the agenda.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland for approval of the agenda for the week of August 15, 2016 and direct Pat Hurley to send notice to Department Heads and Elected Officials for a 48 hour notice on agenda items.

Motion passed, 3-0.

Commissioner Holland commented about the intersection of 20th Street and Eisenhower Road indicating Leavenworth County has the discretion on the traffic controls.

It was the consensus of the Board meetings will need to be scheduled with the cities for the Eisenhower Road and McIntyre Road sales tax projects.

Jeff Joseph presented the quarterly report for Planning and Zoning.

Commissioner Bixby indicated he thinks Planning and Zoning needs to have a work session with the BOCC to discuss how they can be more user friendly in assisting the public.

Mr. Joseph explained the application process and the issuance of building permits.

Bob Weber presented the quarterly report for the Appraiser's Office indicating the maintenance re-inspection is continuing for the 5200 parcels required to be reviewed in 2016.

Mr. Weber indicated the Leavenworth County has met the performance standards set by Division of Property Valuation and the State of Kansas.

Mr. Weber requested approval and signature of a contract for a Commercial Appraiser, Joe Roth, indicating the contract amount is \$39,500.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the contract for Joe Roth, Commercial Appraiser.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to have the chairman sign and date the OCB's.

Motion passed, 3-0.

Larry Malbrough presented the quarterly report for Information Systems.

Commissioner Graeber asked about the issues with the alert system.

Mr. Malbrough indicated remote facilities were getting alerts but there was no audio which has been resolved.

Mr. Malbrough indicated there has been no negative feedback about the election process.

Jamie Miller presented the quarterly report for the Health Department indicating immunization time is in high demand with back to school.

Mr. Miller indicated the implementation of the Electronic Medical Records program has been successful.

Mr. Miller presented the quarterly report for EMS indicating the new ambulance is expected to arrive the week of August 15.

Mr. Miller indicated EMS is utilizing the basement at the Tonganoxie EMS station to conduct continuing education as a reach out to the southern stations and fire departments. He indicated the Tonganoxie Fire Department provided training to EMS on how to extinguish car fires.

Mr. Miller commented that parking stops are needed at the Basehor EMS station and asked the Board how to proceed with obtaining those.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the parking stops and requested Public Works to assist.

Motion passed, 3-0.

Mr. Miller requested approval of two paramedic training contracts.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the paramedic training contracts.

Motion passed, 3-0.

Mr. Miller indicated the box for ambulance 9118 could be mounted on a new chassis and asked the Board if he could pursue getting a quote potentially getting the ambulance back into the fleet.

It was the consensus of the Board to move forward with the quote.

Commissioner Bixby commented the community of Bear Lake wants to establish a perimeter around the north and east side to give a buffer from future development and wants to acquire additional property as green space as part of their home owner association covenant.

Mr. Hurley indicated he will research the matter.

Commissioner Holland indicated he received a request for public comment to be moved back to the beginning of the meetings.

It was the consensus of the Board to leave public comment as it is for now.

PUBLIC COMMENT:

There were no public comments.

The Board adjourned at 10:36 a.m.

Final Approved

*****August 15, 2016*****

The Board of County Commissioners met in regular session on Monday, August 15, 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; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

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

Motion passed, 3-0.

Pat Hurley sent an email to department heads and elected officials indicating a 48 hour notice is required for agenda items.

Mr. Hurley confirmed a meeting with KCATA for August 25 to present information about para-transit transportation.

Commissioner Holland asked if the County would have to subsidize any fees related to the transportation.

Commissioner Bixby indicated it is subject to different factors such as federal grants off setting costs and he would like to see Leavenworth County form a transportation district.

Mr. Hurley indicated Jeff Joseph provided him with different booklets of information that Planning and Zoning hands out to the public and will schedule a work session with them.

Mr. Hurley asked if the Board would like LCDC and LCPA to report monthly.

Commissioner Graeber requested David Van Parys to attend the work sessions that are scheduled.

Commissioner Holland indicated after speaking with Mr. Van Parys he felt Leavenworth County has discretion over the construction of a roundabout at 20th Street and Eisenhower Rd.

Commissioner Graeber read from the agreement with the city of Leavenworth, city of Lansing and Leavenworth County that indicates appropriate traffic signals and signage to be installed.

Commissioner Holland indicated the need to advertise for a road and bridge superintendent.

Commissioner Holland addressed a request for funding from the Leavenworth Historical Society indicating it would be placed on the agenda for Thursday.

PUBLIC COMMENT:

There were no public comments.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to have the chairman sign and date the OCB's.

Motion passed, 3-0.

The Board adjourned at 9:44 a.m.

*****August 18, 2016*****

The Board of County Commissioners met in regular session on Thursday, August 18, 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; Sue Thayer, County Appraisers Office; Tamara Copeland, Human Resources Director; Stacy Driscoll, Register of Deeds; Fran Keppler, Noxious Weeds; David Lutgen, Public Works Director; Mary Brown, Leavenworth County Historical Society Director; Mary Jo Sprunge, Leavenworth County Historical Society; Mary Ann Zohner, Resident; John Matthews, Resident; Larry Scheller, Resident; Bill Trower, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the August 15, 2016 meeting minutes as amended.

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 August 22, 2016.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to have the chairman sign and date the OCB's.

Motion passed, 3-0.

A public hearing was conducted regarding the adoption of the 2017 County Budget.

Janet Klasinski indicated the mill levy is 37.627 in comparison to last year's mill levy at 37.127 with an increase of .50 mills designated for a roof at the Justice Center.

Commissioner Holland commented the .50 mill will be removed after the roof is replaced.

Commissioner Bixby indicated he didn't think they could bind a future commission to that.

Pat Hurley indicated the .50 mill is committed to the roof in the 2017 budget and a decision can't be made until the following budget year.

Commissioner Bixby expressed a need to be more proactive on maintenance and plan for long term.

Ms. Klasinski indicated each year money was put into the capital improvement fund that was set up for maintenance but the County has not been able to do that in order to keep the mill levy down.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the 2017 County budget as published in the Leavenworth Times

Larry Scheller questioned what the line item listed as Other in the budget in the amount of \$928,463.00 would be used for.

Ms. Klasinski explained it was decided to use the remaining sales tax money to replace bridge A32, repair Mt. Olivet Road, County Road 1 overlay and a communication upgrade.

Commissioner Graeber voting aye, Commissioner Bixby voting nay and Commissioner Holland did not vote, no action taken.

Ms. Klasinski indicated the special funds budget includes local service, road and bridge and sewer districts had no increase with a mill levy at 8.467 that is assessed to anyone outside the unincorporated areas. Ms. Klasinski indicated there is no funding designated for the PRP program in this budget.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the 2017 Special Funds budget.

Motion passed, 3-0.

Commissioner Graeber expressed his appreciation to Janet Klasinski and Linda Scheer for preparing the budget saving \$30,000 for outside assistance.

Fran Keppler requested authorization to repair or replace a chipper indicating to repair the chipper would cost \$22,902.67 and a new one would cost \$55,143.75.

Commissioner Bixby suggested to inquire what trade in would be and how much a 5 year extended warranty costs.

Ms. Klasinski indicated an additional \$30,000 would be needed and suggested a lease purchase option.

Commissioner Holland indicated he would like to see both options.

David Lutgen presented an update on McIntyre Road after the public meeting was held indicating a possibility of reducing the design speed from 50 down to 40 that would result in 1.1 million savings in construction cost.

Mary Brown, president of the Leavenworth County Historical Society, which served 60 years as the collector and keeper of Leavenworth County history at the Carroll Mansion. Ms. Brown discussed the various ways they have managed to budget by reducing operating expenses but the maintenance has been deferred.

Ms. Brown indicated the funding needs include replacement of the upstairs air conditioning unit and a motor replacement on the downstairs air conditioning unit, plumbing and a porch replacement.

Commissioner Bixby volunteered to host a fundraiser breakfast at the courthouse.

Ms. Klasinski indicated funding would be available in this year's budget for the contribution for the air conditioners.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve \$10,000.00 to the Leavenworth County Historical Society.

Motion passed, 3-0.

Ms. Klasinski received the audit from Berberich Trahan and Company and will have a representative present it to the Board.

Mr. Hurley received a request for the use of the Justice Center parking lot to host a first responder's annual luncheon and will verify with Jamie Miller, Andy Dedeke and Chuck Magaha to see if they want to participate.

David Van Parys requested an executive session stating the motion for the purpose of protecting attorney/client privileged information to meet with the three Commissioners, Pat Hurley and himself and resume at 11:05 a.m. in this meeting room.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to enter an executive session for the purpose of protecting attorney/client privileged information to return at 11:05 a.m. in the meeting room. Present: the three Commissioners, David Van Parys and Pat Hurley.

Motion passed, 3-0.

The Commission returned at 11:05 a.m., no official action taken.

Mr. Van Parys received a claim regarding less than \$500.00 damage to a vehicle caused by a rock and requested permission to process the claim.

PUBLIC COMMENT:

There were no public comments.

The Board adjourned at 11:16 a.m.

Final Approved

*****August 22, 2016*****

The Board of County Commissioners met in regular session on Monday, August 22, 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, Public Works Director; Fran Keppler, Noxious Weed; Jerry Reilly, Reilly and Sons Realtors; Joe Herring, Herring Survey; Louis Klemp; John Matthews, Resident; Harold Sommerfeldt, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber to approve the minutes from August 18, 2016

Commissioner Holland commented that he did not vote on the budget but in fact got interrupted when trying to make a statement.

Commissioner Graeber withdrew his motion.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the minutes from August 18, 2016 as amended reflecting that the County general fund budget was not approved on August 18.

Motion passed, 3-0.

Jerry Reilly spoke about the roundabout on 20th Street and Eisenhower Road indicating 91 homes will be constructed along 20th Street and the Branches will be constructed west of 20th Street with another 77 additional lots.

Mr. Reilly encouraged the Board to consider the future of Eisenhower Road and recognize that it will be a major corridor and disregard the current car count and that a roundabout would not be best with future growth in that area.

David Van Parys indicated the County is liable for any design even after the cities take over. He suggested referring the issue of the design of the intersection to the engineers and ask the cities to give the Board a definitive report with recommendations.

Louis Klemp indicated Eisenhower Road will not be a minor road and thinks the city of Lansing and the city of Leavenworth should contribute to the cost.

Fran Keppler requested authorization to purchase or repair a chipper indicating there is \$6000.00 in equipment reserve and \$14,000.00 in depreciation still needing \$28,000.00 to purchase. The County Clerk has indicated the balance can be covered.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve purchase of a new chipper and authorize to put the old chipper on Purplewave.

Motion passed, 3-0.

A motion was made by Commissioner Holland and to approve the 2017 County budget as previously published in the Leavenworth Times

Seconded by Commissioner Bixby for discussion

Commissioner Holland indicated he is still pushing for the PRP program because there many roads that will be left unfinished because there is no funding. Commissioner Holland commented the other two Commissioners were not in favor of raising the special funds budget 2 mills.

Commissioner Holland stated the funding left over from the industrial parks could be used for the PRP program for the rest of this year to finish projects.

David Van Parys indicated the sales tax proceeds could be used for road improvements and certain funds could be committed to the PRP program.

Harold Sommerfeldt stated the PRP program is a way for the landowners to bring forward to the Commission their consideration for paving their roads.

Mr. Van Parys commented the latest projection from Piper Jaffary indicates an annual excess in sales tax revenue over the debt service requirement that could be used for the PRP program.

Motion passed 2-1, Commissioner Bixby voting nay.

Mr. Van Parys requested an executive session to protect attorney/client privileges to discuss potential litigation to resume at 11:00 a.m. in the BOCC meeting room.

A motion was made by Commissioner Bixby seconded by Commissioner Holland to enter an executive session to protect attorney/client privileges to discuss potential litigation to resume at 11:00 a.m. in the BOCC meeting room. Present: The three Commissioners, Pat Hurley and David Van Parys.

Motion passed, 3-0.

The Commission returned at 11:00 a.m. no official action taken.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to have the chairman sign and date the OCB's.

Motion passed, 3-0.

PUBLIC COMMENT:

There were no public comments.

The Board adjourned at 11:01 a.m.

*****August 25, 2016*****

The Board of County Commissioners met in regular session on Thursday, August 25, 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, Assistant Planner; Melissa Johnson, Code Enforcement; Linda Lobb, Council on Aging Director; David Ball, Transportation Supervisor for Council on Aging; Anita Gonzalez, Leavenworth Bicycle Club President; Jameson Auten, KCATA; John Matthews, Resident; Ted Grinter, Resident; Kris Grinter, Resident; Kelly Kultala, Resident; Bill Terrell, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the August 22, 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 August 29, 2016.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-083 requesting approval of a one lot subdivision, a replat of lots 7 and 8 for Shamrock Place.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-083, subject to all conditions.

Motion passed 3-0.

Planning and Zoning presented case number DEV-16-058 requesting a special use permit for an agri-business with intent to sell locally produced goods, arts and crafts from the existing home on the property.

The applicant, Ted Grinter, indicated they are trying to promote local produce, arts and crafts.

No one spoke in opposition.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-058, a special use permit for Sunflower General, subject to all conditions.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve and execute Resolution 2016-28, issuing a special use permit for an agri-business, Sunflower General.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-085 requesting a temporary special use permit for a bicycle ride and applicant is requesting waiver of the \$100.00 application fee.

Commissioner Holland commented in the past he has had complaints about bicyclists not riding in single file or adhering to the route.

David Van Parys indicated all traffic laws should be complied with.

The applicant, Bill Terrell, spoke in favor of the event indicating this is not a race but a ride and will obey all traffic laws.

No one spoke in opposition.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the ride and waiver of the \$100.00 application fee, subject to all conditions.

Motion passed, 3-0.

Jameson Auten, Chief Transportation Officer with KCATA, presented a briefing on para-transit transportation and other services that could benefit Council on Aging and Leavenworth County offering information for various options that could accommodate the needs of the public.

Mr. Van Parys suggested authorizing Linda Lobb to work with KCATA to do a needs analysis to see what services are needed, potential fiscal impact and what contractual conditions that would be required of Leavenworth County.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of a draft letter to KCATA to work on a pilot proposal for Leavenworth County.

Motion passed, 3-0.

Commissioner Holland indicated he would like the Public Works Director to look at the MARC funding that Leavenworth County has been awarded to see if it would delay the Eisenhower Road project.

Mr. Van Parys suggested inquiring what are the conditions for the acceptance of these funds, when will they be paid and will it delay the project.

PUBLIC COMMENT:

There were no public comments.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to have the chairman sign and date the OCB's.

Motion passed, 3-0.

The Board adjourned at 10:41 a.m.

*****August 29, 2016*****

The Board of County Commissioners met in regular session on Monday, August 29, 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; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Assistant Planner; Stephanie Sloop, Planning Coordinator; Vernon Fields, Basehor City Council Member; John Matthews, Resident; Jeff Logan, Resident; Lynn Looney, Resident; Dennis Grey, Resident, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

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

Motion passed, 3-0.

Planning and Zoning staff presented a step by step presentation describing the services their department provides such as building permits, waste water system permits, entrance permits, sign permits and rezoning.

Commissioner Holland commented that the RIF and TIF fees need to be looked at to see if they need to be capped instead of increasing \$250.00 per year.

Commissioner Bixby suggested holding a separate meeting on RIF and TIF fees for another time.

Krystal Davis explained the special use permit procedures from the application process to meeting with the County Commission.

David Van Parys briefed the Board on a recent fencing viewing indicating the fence between the properties meets the definition of a partition fence. The northern half of the partition fence constitutes a legal and sufficient fence whereas there are portions in the southern half that do not meet the legal definition of a fence.

Mr. Van Parys suggested Dennis Grey be assigned responsibility of the northern half of the fence and Joe Doman be assigned responsibility of the southern half of the fence and both be required to maintain those partition fences. If either party refuses or neglects to maintain the fence then action can be filed in District Court to enforce the order or seek compensation.

Commissioner Holland tabled this matter to conduct a work session to review fence regulations.

PUBLIC COMMENT:

John Matthews asked if there were different fence standards for different types of animals.

Commissioner Bixby requested a 5 minute recess.

Commissioner Holland referenced a follow up letter to KCATA regarding para transit services.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve and sign the letter to KCATA.

Motion passed, 3-0.

Commissioner Holland indicated two meetings will be held next week on Tuesday and Thursday.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland requesting an executive session to include three Commissioners, Pat Hurley and David Van Parys for non- elected personnel to return at 11:10 a.m.

Motion passed, 3-0.

Mr. Van Parys stated the motion as in the interest of protecting the privacy interests of the employee to be discussed move to enter executive session to discuss non-elected personnel to resume session at 11:10 a.m. in the meeting room.

Commissioner Bixby amends his motion and Commissioner Graeber seconded the motion as in the interest of protecting the privacy interests of the employee to be discussed move to enter executive session to discuss non-elected personnel to resume session at 11:10 a.m. in the meeting room.

Motion passed, 3-0.

The Board returned at 11:10 a.m. no official action taken.

Mr. Van Parys requested an executive session stating in the interest of protecting the privacy interests of the employee to be discussed move to enter executive session to discuss non-elected personnel to resume session at 11:20 a.m. in the meeting room.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland in the interest of protecting the privacy interests of the employee to be discussed move to enter executive session to discuss non-elected personnel to resume session at 11:20 a.m. in the meeting room.

Motion passed, 3-0.

The Board returned at 11:20 a.m. no official action taken.

The Board adjourned at 11:23 a.m.

The Board reconvened to discuss letter about McIntyre Road speed limit.

Mr. Van Parys suggested forwarded the letter to Public Works.

The Board adjourned at 11:26 a.m.