

*****December 1, 2016*****

The Board of County Commissioners met in regular session on Thursday, December 1, 2016. Commissioner Holland, Commissioner Graeber, and Commissioner Bixby are present; Also present: David Van Parys, County Counselor; Debbie Cox, Acting Secretary; David Lutgen, Public Works Director; Doug Smith, Commissioner-Elect; Tamara Copeland, HR Director; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Planner; Michael Swan, Assistant Planner; Jamie Miller, EMS Director; Debbie Moulden, Resident; Debbie Lamborn; Michelle Wilson, Resident; Nancy Teasdale, Resident; Jenny Worden, Resident; Jennifer and Steve Johnson, Residents; Ryan & Mary Tackett; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

No public comment.

ADMINISTRATIVE BUSINESS:

Jamie Miller requests permission to move forward with purchase of a replacement EMS response vehicle through the state bid process. There is funding set aside which will cover the purchase as well as switching equipment.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to move forward with the purchase as presented by Mr. Miller.

Motion passed 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to enter executive session to protect the privacy interests of the employee involved to discuss non-elected personnel and to return to open session in this meeting room at 9:20 a.m. Present will be the three commissioners and Tamara Copeland.

Motion passed 3-0.

Commissioners returned at 9:15 a.m. No official action was taken. Open session resumed at 9:20 a.m.

David Lutgen reported the water district involved with the 147th Street project proposes to buy materials out for bid, but keep the construction in-house. David Van Parys brought an Attorney General opinion that all purchases over \$25,000 must go out for bids. David Lutgen will inform the water district to go out for bid. If they do not come in with the lowest bid, they would have to pay the difference. Commissioner Bixby requested an open meeting with notice to the County so that a representative can be present.

David Van Parys updated the Commission on the three condemnation proceedings. Considering current and anticipated costs, the right of way would still be under budget.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to authorize Public Works to issue a check to the Clerk of District Court for the total of the award so that the project can move forward.

Motion passed 3-0.

David Van Parys discussed correspondence from the city of Leavenworth regarding vacancies at the Port Authority. Commissioner Holland brought information from the meeting on Nov 30. Terry Andrews is resigning effective immediately. Paul Kramer has talked with Bob Patzwald who is agreeable to filling the vacancy. Blaine Weeks is agreeable to remaining on the board when his term expires

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to appoint Bob Patzwald to fill the vacancy and to re-appoint Blaine Weeks.

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 December 5, 2016.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to allow Tamara Copeland to process a personnel action presented to the board.

David Van Parys asked for and received clarification on an earlier denial of claim to damage of a vehicle's undercarriage due to continued communications from the claimant. The Board clarified that this is a permanent denial of the claim.

Planning and Zoning presented Case number DEV-16-107/108, Consideration of a Preliminary and Final Plat for Three C's Reserve.

Commissioner Holland opened public comment. There were no public comments.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve Case number DEV-16-107/108, Consideration of a Preliminary and Final Plat for Three C's Reserve.

Motion passed 3-0.

Planning and Zoning presented Case number DEV-16-111/112, Consideration of a Preliminary and Final Plat for G & M Estates

Commissioner Holland opened public comment.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Case number DEV-16-111/112, Consideration of a Preliminary and Final Plat for G & M Estates.

Motion passed, 3-0.

Planning and Zoning presented Case number DEV-16-097 Consideration of a Special Use Permit for a kennel for individual dog training classes

Commissioner Holland opened public comment. The applicant, Ms. Michelle Wilson, withdraw the request to preserve the peace.

Planning and Zoning presented Case number DEV-16-102 Consideration of a Special Use Permit for a kennel for Camp Canine, LLC.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve case number DEV-16-102, a Special Use Permit for a kennel for Camp Canine, LLC.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve Resolution 2016-42, issuing a special use permit for a kennel.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the OCBs and authorize the Chairman to sign same.

Motion passed 3-0.

Mr. Van Parys presented an email which he had just received to the board regarding the appointments to LCPA. He advised to wait until the dust settles and revisit the issue next week.

Planning and Zoning presented Case number DEV-16-106 Consideration of a Special Use Permit for horse boarding and events for Saddle Creek Ranch and Stables

Commissioner Holland opened public comment.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Case number DEV-16-106 Consideration of a Special Use Permit for horse boarding and events for Saddle Creek Ranch and Stables.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to execute Resolution 2016-43, issuing a special use permit for horse boarding and events.

Motion passed, 3-0.

Jeff Joseph informed the Commissioners that there have been complaints regarding a special use permit approved last month. The Zoning Compliance Officer has inspected the site and finds the property owner is in compliance with the special use permit issued.

Mary Ann Tackett stated that the property owner is not in compliance regarding importing landscape debris and parking locations. He is not meeting the intent of the restrictions. David Van Parys stated that at this point it is for the Commissioners to weigh the evidence and exercise their best judgment regarding resolution of the situation. Commissioner Holland indicated he would be willing to be involved. Commissioner Bixby suggested a panel could be more effective in getting things done than sending letters. Ryan Tackett stated he had made several calls to the department without a reply from Mr. Joseph. Mr. Joseph stated he had spoken with Commissioner Holland and Counselor Van Parys and did not feel it was necessary for him to return the call as the Commissioner and Counselor were involved. Commissioner Graeber stated we need to deal with this. Commissioner Bixby suggested Planning and Zoning contact NACo and see if there are similar cases we can get information from.

Debbie Moulden had planned to address the commission on an ongoing matter. Mr. Van Parys offered to meet with her to discuss the matter.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to protect the privacy interests of the employee involved to go into Executive Session to discuss non-elected personnel and to return to open session in this meeting room at 10:30 a.m. Present would be the three Commissioners and Tamara Copeland.

Motion passed 3-0.

The board ended the executive session at 10:25. Commissioner Graeber excused himself to take an emergency phone call. The board returned to open session at 10:40. No official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the personnel action as stated by Tamara Copeland while in executive session.

Motion passed 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to preserve attorney client privilege, to go into executive session to discuss potential and pending litigation and to return to open session this meeting room at 11:15. Present would be the three Commissioners and Tamara Copeland.

Motion passed, 3-0.

The board returned from executive session at 11:05. The executive session was in error. Nothing substantial was discussed.

The board returned to open session at 11:15. No action was taken.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby for non-elected personnel to discuss a matter of critical and sensitive nature regarding a confidential matter and to return to open session in this meeting room at 11:20. Present would be the three Commissioners and Tamara Copeland.

Motion passed, 3-0.

The board returned to open session at 11:20. No official action was taken.

Tamara Copeland requested to process the personnel action to terminate an employee and pay out the account, then rehire the employee as a protected employee.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to direct Tamara Copeland to process the personnel actions as stated.

Motion passed, 3-0.

Commissioner Graeber raised a question regarding an email that had been received. The concern was that some items in the email should have been voted on by the Board. Ms. Copeland advised that these are negotiations, not binding agreements. There was a consensus to enter negotiations.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to enter executive session to protect the privacy interests of the employee involved to discuss non-elected personnel and to return to open session in this meeting room at 11:45 a.m. Present would be the three commissioners and Tamara Copeland.

Motion passed, 3-0.

The board returned to open session at 11:45. No official action was taken.

The Board adjourned at 11:48 p.m.

*****December 5, 2016*****

The Board of County Commissioners met in regular session on Monday, December 5, 2016. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present; Also present: David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resources Director; Bob Weber, County Appraiser; Sue Thayer, Personal Property Appraiser; David Lutgen, Public Works Director; Sarah Shafer, Deputy Director of Public Works; Mark Loughry; Financial Administrator; Commissioner-Elect Doug Smith; Joe Herring, Herring Survey, Jerry Reilly, Reilly and Sons; Dave Breuer, Mayor of Basehor; Danny Zeck, Resident; John Matthews, Resident

PUBLIC COMMENT:

Louis Klemp commented on various subjects such as McIntyre Road improvements, the hiring of an outside attorney and executive sessions.

Danny Zeck expressed concerns on the road projects such as McIntyre Road K-7 and Eisenhower Road and the traffic it will create for K-7.

ADMINISTRATIVE BUSINESS:

Commissioner Holland introduced Mark Loughry as the new Financial Administrator for Leavenworth County.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the minutes from November 28, 2016.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the minutes from December 1, 2016.

Motion passed, 3-0.

Commissioner Holland indicated the Commission needs to approve the 2017 holiday schedule.

Tamara Copeland indicated the holiday schedule is the same as this year just the dates have changed.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to approve the 2017 Holiday schedule.

Motion passed, 3-0.

Bob Weber indicated a resident has filed for relief from personal property penalties. The Appraiser's office signed a penalty for failure to file for 2016 in which the resident had in fact signed and returned. The Appraiser's office removed the penalty due to a clerical error. The resident questioned the penalties in 2012 and 2014 and felt he had filed those. Mr. Weber indicated the resident needs to file with the Board of Tax Appeals to remove those penalties from the previous years.

Commissioner Bixby indicated he would follow up with a phone call to the resident.

Mr. Weber requested authorization to sell a 2007 Chevy Malibu that is no longer in use.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to sell a 2007 Chevy Malibu on PurpleWave.

Motion passed, 3-0.

Dave Breuer, mayor of Basehor presented a potential road project to the Commission indicating a property developer is looking at developing 144 acres behind Falcon Lakes but a connecting road needs to be built. Mayor Breuer presented an interlocal agreement that has been approved by the Basehor city council that states the County's cost in participating in the road project would be \$617,000.00 and the city of Basehor cost would be \$233,000.00.

Jerry Reilly indicated he is proposing 400 homes in this area that include townhomes, villas and stand-alone housing.

A motion was made by Commissioner Bixby to approve with the condition that the County's legal staff reviews the agreement.

Janet Klasinski indicated the County has never been in the practice of developing a private road.

Mayor Breuer commented it would be a public road and the city of Basehor will maintain it.

David Lutgen indicated the County has not built a new road for a developer.

Mayor Breuer indicated this part of the one cent sales tax which also states economic development and by building the road will increase economic development in Leavenworth County.

Mark Loughry recommended to wait for the bid to come in or the agreement needs to have a maximum amount.

Commissioner Graeber indicated we have to move forward or we will not see the progress our county can have.

Sarah Shafer requested to take into consideration what benefits will be coming into the county and potentially work with a percent share funding.

Commissioner Bixby indicated this would be a collector road and the county would not be developing the private roads within the subdivision.

David Van Parys indicated he would like an opportunity to review the interlocal agreement.

Bixby withdraws motion.

Mr. Van Parys suggested an appropriate motion would be to express support for the proposal put forward by the city of Basehor for the development of Prairie Gardens and the public road system for the development with participation by the city of Basehor.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to express support for the proposal put forward by the city of Basehor for the development of Prairie Gardens and the public road system for the development with participation by the city of Basehor.

Motion passed, 3-0.

Mr. Van Parys indicated there was a miscommunication with the Board taking action appointing Bob Patzwald to the port authority board and to reappoint Blaine Weeks. He indicated the action that should have taken place was the appointment of Bob Patzwald and the reappointment of Teresa Commonford.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to appoint Bob Patzwald for the unexpired term of Terry Andrews and the reappointment of Teresa Commford commencing January 1, 2017 to the Leavenworth County Port Authority.

Motion passed, 3-0.

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 10:34 a.m.

The Board reconvened at 10:34 a.m.

Commissioner Holland was contacted by Janet Klasinski about hosting a legislative breakfast.

The Board adjourned at 10:36 a.m.

The Board of County Commissioners met in a work session on Monday, December 5, 2016. Commissioner Holland, Commissioner Graeber and Commissioner Bixby are present; Also present: David Lutgen, Public Works Director; Sarah Shafer, Deputy Director of Public Works; Louis Klemp, Resident

A work session was held at 1:00 p.m. to discuss interlocal agreements on the road improvement projects.

The Board adjourned at 2:00 p.m.

*****December 8, 2016*****

The Board of County Commissioners met in regular session on Thursday, December 8, 2016. Commissioner Holland and Commissioner Graeber are present; Also present: David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Tamara Copeland, Human Resources Director; Commissioner –Elect Doug Smith; Joe Herring, Herring Survey; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Holland indicated the Commission received an invitation from the city of Lansing for a joint meeting on January 12 at 7:00 p.m. Commissioner Holland and Graeber will attend.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the December 5, 2016 meeting minutes.

Motion passed, 3-0.

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.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby for approval of the agenda for the week of December 12, 2016 as amended.

Motion passed, 3-0.

Commissioner Graeber reported the Commission received an email from Mike Vestal who indicated the doors are difficult to open for the disabled at the Annex.

Commissioner Holland checked with Building and Grounds and the county is not mandated to install those types of doors.

Commissioner Bixby suggested installing in a doorbell to accommodate anyone needing assistance opening the doors.

Commissioner Graeber mentioned a letter referencing the rental fees for Windsor Park.

Commissioner Holland indicated after speaking with Mr. Van Parys they have to notify the county of any increase of rent.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland in order to preserve attorney/client privilege the Board go into executive session to discuss potential/pending litigation and to return to open session in this meeting room at 10:00 a.m. Present would be the three Commissioners, Tamara Copeland Deb Snider (Toby Crouse and Bud Cowan by telephone).

Motion passed, 3-0.

The Commissioner returned to open session at 10:00 a.m.; no official action taken.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to preserve attorney/client privilege the Board go into executive session to discuss potential/pending litigation and to return to open session in this meeting room at 10:45 a.m. Present would be the three Commissioners, Tamara Copeland (Toby Crouse and Bud Cowan by telephone).

Motion passed, 3-0.

The commission returned to open session at 10:47 a.m.; no official action taken.

David Van Parys reported bond 2016 Series A sold for \$9,850,000.00 and bond 2016 Series B sold for \$4,165,000.00.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the bids for the sale of bonds.

Motion passed, 3-0.

Janet Klasinski is now present.

Gina Riekhof is now present.

Commissioner Holland asked where funding would come from if the Commission agreed to the Basehor road project as proposed by Mayor Breuer.

Ms. Klasinski commented that in her opinion she did not see where the County has an extra \$600,000.00.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber for approval of Resolution 2016-44, a resolution authorizing the issuance of series A and series B bonds.

Motion passed, 3-0.

Ms. Riekhof reported that closing for the bonds will be December 22 and funds will be available immediately for the road projects, however, the industrial park project funding would need to wait until the interlocal agreements are approved by the Attorney General's office.

The Board adjourned at 11:36 a.m.

*****December 12, 2016*****

The Board of County Commissioners met in regular session on Monday, December 12, 2016. Commissioner Holland and Commissioner Bixby are present; Commissioner Graeber is absent; Also present: David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Commissioner-Elect Doug Smith; Tamara Copeland, Human Resources Director; David Lutgen, Director of Public Works; Sarah Shafer, Deputy Director of Public Works; Fran Keppler, Noxious Weeds; Tammy Saldivar, Solid Waste; Joe Herring, Herring Survey; Chuck and Jayme Engelhardt, Residents; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Chuck Englehart spoke about McIntyre Road indicating it is a value to the community to have this access from K-7 to Highway 5. He commented the chief of police and the sheriff set the speed limits based on conditions, set the limit at 35 mph and move forward with the project.

Commissioner Bixby indicated the average speed recorded on McIntyre Road was 43 mph, so a speed limit of 45 mph didn't seem out of line.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the minutes from December 8, 2016.

Motion passed, 2-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve 2016-45, a resolution determining that the financial statements and financial reports for the year ended 2016 to be prepared in conformity with the requirements of K.S.A. 75-1120 are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of the County of Commissioners or the members of the general public of the County of Leavenworth.

Motion passed 2-0.

Tim Vandall presented the city of Lansing revised neighborhood revitalization plan indicating this is a continuation of the existing revitalization plan with no changes.

Commissioner Bixby pointed out a potential conflict on Eisenhower Road.

David Van Parys indicated he is familiar with the proposed project and the area in question would not pose an immediate conflict with the Eisenhower project.

Mr. Vandall suggested a moratorium for 50 feet needed by the county.

Mr. Van Parys has contacted the city of Lansing and Leavenworth about a possible moratorium of subdivision development along Eisenhower Road. He indicated both cities respectfully declined because the county was unable at the time to provide them parameters as what the moratorium could be. He suggested allowing the cities to proceed on their own course then when the county has parameters we could then meet and request assistance to protect that area.

Mr. Vandall indicated the city of Lansing would be open to that if they have a defined area.

Mr. Van Parys suggested the Appraiser's office review the revitalization plan and gage any fiscal impact to the county.

Mr. Vandall stated he is impressed with the county public works staff and their communication on projects.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby that in order to protect the privacy interests of the employee (s) involved, the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 9:50 a.m. Present would be the two Commissioners, David Lutgen and Tamara Copeland.

Motion passed, 2-0.

The Commission returned at 9:51 a.m.; no official action taken.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby that in order to protect the privacy interests of the employee (s) involved, the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 10:00 a.m. Present would be the two Commissioners, David Lutgen and Tamara Copeland.

Motion passed, 2-0.

The Commission returned at 10:00 a.m.; no official action was taken.

Sarah Shafer briefed the Board on the sales tax road projects beginning with 147th Street indicating utility relocations are continuing. She mentioned the water district has requested an update obtaining private easements in which Public Works informed them to put the acquisitions on hold until an agreement on moving forward is achieved. The appraiser met at Falcon Lakes on November 21 for final review and assessment of the Falcon Lakes and Day 3 parcels.

Ms. Shafer indicated the McIntyre Road design is 95% complete and property acquisition is at a stalemate with no additional settlements can be recorded for the month of November. The project has been put on hold as Public Works coordinates with the city of Lansing to investigate proposed development agreements.

Ms. Shafer indicated construction preparation and design field check inspection on Eisenhower Road went well with minor revisions. She reported Public Works will be meeting with property owners prior to a public meeting to answer questions.

Tammy Saldivar indicated the Transfer Station would like to work Friday, December 23 and take Saturday, December 24 off.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to revise the holiday schedule for the Transfer Station.

Motion passed, 2-0.

Fran Kepler requested authorization to purchase two replacement spray trucks and accept bid from Henry Martens in the amount of \$65,198.60.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to accept the bid from Henry Martens in the amount of \$65,198.60 for two replacement spray trucks.

Motion passed, 2-0.

Ms. Keppler requested authorization to solicit for bids for the right of way sprayers.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to authorize Noxious Weeds to solicit for bids for the right of way sprayers.

Motion passed, 2-0.

Ms. Keppler indicated the Board authorized to raise the K-DOT fees for the Noxious Weeds contract to spray right of ways and requested signature of the chairman.

A motion was made by Commissioner Bixby seconded by Commissioner Holland to approve the contract with K-DOT and Noxious Weeds for service of spraying right of ways.

Motion passed, 2-0.

David Lutgen indicated the larger pipes are being installed on 207th Street.

Mr. Lutgen reported dirt work has begun on the east side of Mt. Olivet Road.

Mr. Lutgen indicated 20 parcels were affected by the 179th Street project and has obtained 15 easements of the 20 parcels with 2 parcels remaining that have not contacted Public Works. He requested approval to proceed with condemnation proceedings on those parcels.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to authorize Public Works and legal counsel to proceed with condemnation on 179th Street.

Motion passed, 2-0.

Tamara Copeland presented a change to the rehire prior service credit policy indicating she wants the last line removed which is recomputing the hire date for benefits which was done in the ProPay system. She also present a change in the final payout policy indicating she wants the word “shall” to be changed to “may” because of circumstances where direct deposit should go through.

Ms. Copeland indicated the nepotism policy will change the family association policy that is in place now and will be more extensive and detailed and requested the Board to review the policy.

Ms. Copeland indicated the whistle blower policy will enhance the sexual harassment and respectful in the workplace policies. She indicated these policies were obtained through MARC as well as a conflict of interest policy.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve the minor changes to the rehire and prior service credit policy and final payout language striking the word shall and approval the conflict of interest policy and whistle blower policy.

Motion passed, 2-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to preserve attorney-client privilege the Board go into executive session to discuss potential/pending litigation and to return to open session in this meeting room at 10:45 a.m. Present would be the two Commissioners and David Van Parys.

Motion passed, 2-0.

The Commission returned at 10:44 a.m. no official action taken.

David Van Parys asked the Board to reaffirm Resolution 2015-29 expressing opposition of the relocation of the Gitmo Bay detainees to Ft Leavenworth and support whatever litigation necessary to take action.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to reaffirm opposition of the relocation of the Gitmo Bay detainees to Ft Leavenworth and support whatever litigation necessary to take action.

Motion passed, 2-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby that in order to protect the privacy interests of the employee (s) involved, the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:10 a.m. Present would be the two Commissioners and Tamara Copeland.

Motion passed 2-0.

The Commission returned at 11:12 a.m. no official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to process a personnel action.

Motion passed, 2-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby that in order to protect the privacy interests of the employee (s) involved, the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:30 a.m. Present would be the two Commissioners, Tamara Copeland and David Van Parys.

The Commission returned at 11:32 a.m. no official action taken.

Ms. Copeland noted that there has been no recent Board action taken by the Commission concerning the employee in question.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland that there has been no recent Board action taken by the Commission concerning the employee in question.

Motion passed, 2-0.

The Board adjourned at 11:36 a.m.

*****December 15, 2016*****

The Board of County Commissioners met in regular session on Thursday, December 15, 2016. Commissioner Holland and Commissioner Bixby are present; Commissioner Graeber is absent; Also present: David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resources Director; Lloyd Martley, Basehor Chief of Police; Commissioner-Elect Doug Smith; Joe Herring, Herring Survey; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Holland indicated the Leavenworth County Community Corrections would like to appoint new members to the Kansas Adult Advisory Board Members recommending Dr. Roger Bonner, Karol Lohman and Linda Sanders.

***A motion was made by Commissioner Holland and seconded by Commissioner Bixby to approve the appointments of Dr. Roger Bonner and Karol Lohman and the reappointment of Linda Sanders.
Motion passed, 2-0.***

Janet Klasinski reported a legislative breakfast has been scheduled for January 4th at June's Cottage.

***A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the December 12, 2016 meeting minutes.
Motion passed, 2-0.***

Commissioner Holland indicated he would like to add a discussion about a five member Commission panel for Monday's agenda.

Mr. Van Parys reminded the Board the governor will appoint the vacant seats if this were to pass.

Ms. Klasinski indicated the city of Basehor passed two resolutions with the first one is an extension of Theno Estates.

Mr. Van Parys reported the property to the immediate north of the proposed annexation area is part of the city of Basehor.

Lloyd Martley indicated the second annexation is a single lot in Falcon Lakes that did not get annexed in the beginning.

***A motion was made by Commissioner Bixby and seconded by Commissioner Holland finds the proposed annexations will not hinder the growth and development of the two tracts of land and will not hinder the growth and development of other incorporated cities within the County.
Motion passed, 2-0.***

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

Motion passed, 2-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland for approval of the agenda for the week of December 19, 2016.

Motion passed, 2-0.

Tamara Copeland request the Board to consider adding a statement to the nepotism policy that states this policy is in effect for the Board of County Commissioners, Appointed Department Heads and subordinates and the Elected Officials would have to voluntarily comply.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby for discussion to approve the nepotism policy.

Commissioner Bixby asked if this allowed for grandfathering.

Ms. Copeland indicated it would allow for grandfathering.

Commissioner Bixby asked if this would be for family members or family members of the elected official.

Ms. Copeland indicated if the additional statement is added the elected official would not necessarily have to comply but only on a voluntary basis.

Motion passed, 2-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to protect the privacy interests of the employee (s) involved, the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 9:50 a.m. Present would be two Commissioners and Tamara Copeland.

Motion passed, 2-0.

The Commission returned at 9:51 a.m.; no official action taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to authorize Tamara Copeland to issue a personnel action.

Motion passed, 2-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland in order to protect the privacy interests of the employee (s) involved, the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 10:15 a.m. Present would be two Commissioners, Tamara Copeland and the employee involved.

Motion passed, 2-0.

The Commission returned at 10:14 a.m.; no official action taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland in order to protect the privacy interests of the employee (s) involved, the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 10:30 a.m. Present would be two Commissioners, Tamara Copeland and David Van Parys.

Motion passed, 2-0.

The Commission returned at 10:31 a.m.; no official action taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve a personnel action.

Motion passed, 2-0.

The Board adjourned at 10:37 a.m.

Final Approved

*****December 19, 2016*****

The Board of County Commissioners met in regular session on Monday, December 19, 2016. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resource Director; Commissioner-Elect Doug Smith; David Lutgen, Public Works Director; Joe Herring, Herring Survey; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp presented an example of an executive session from the city of Leavenworth's meeting to the Board. Mr. Klemp asked who reviewed the interlocal agreement since there is no legal counsel.

Commissioner Holland indicated the County does have legal counsel.

Tamara Copeland replied that Foulston Siefkin law firm is legal counsel.

Joe Herring asked where the firm is located.

Commissioner Bixby indicated Kansas City.

ADMINISTRATIVE BUSINESS:

Commissioner Holland suggested having an employee of the month with a parking spot that would extend the offer to other county work sites recommending a spot where the BOCC vehicle is currently parked.

Commissioner Bixby inquired who would decide who gets nominated.

Commissioner Holland indicated everyone's name who is eligible be entered and picked at random and once you are picked your name is taken out for one year.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to start the program beginning January 1, 2017 and direct Building and Grounds to work on parking and encourage department heads and elected official who are in charge of other locations to do the same.

Motion passed, 3-0.

Commissioner Holland read a press release and requested the minutes reflect the speech verbatim.

Commissioner Holland: I just want the Commissioners to address County business and the future. Leavenworth County has been struggling in some key areas for some time now and this Commission has identified serious and critical deficiencies for which we are addressing and trying to correct and sometimes this creates conflict even between the Commissioners. Unfortunately, we cannot always openly discuss these matters in the public and so the public does not always understand all the facts and we are not at liberty to discuss them. This does not mean that we are conducting business unlawfully, it means we are following KOMA rules and County policies in how to address confidential topics and sometimes coming to consensus on the best way to handle these sensitive issues in the privacy of executive session which is the right and lawful place to discuss these types of issues such as legal issues, contractual issues, litigation, personnel matters then we come out of executive session and make motions to address the difficult decisions and we are limited in what we can say publicly if it is legally or

employee personnel matters. We are not hiding anything from the public we are following lawful procedures in protecting, respecting the rights set forth by the County policy for our employees. This Commission continues to be accused of acts of that simply are not true. There are those who continue to try and turn our Board actions into something they are not by making false statements or twisting the truth and the facts in order to deflect from the real issues we are trying to address that we are not at liberty or publicly to discuss. It is hard to convince the public that we are doing the right thing for the County when all that we are offered to read is the negative comments made some officials who do not have all the facts and are not authorized to speak on behalf of this Commission. It is the Commissioner's responsibility and duty to ensure the County operates smoothly and efficiently within the law and County procedures. This is our goal and we continue to act in the best interests of the County in light of having some very difficult challenges to face. We will continue to act in good faith and we are responding to numerous issues identified and complaints received and for that we have to make some very difficult decisions in order to protect the County's best interests. Currently we are rebuilding some of the key management areas that we hope will bring a high degree of professionalism, strong work ethics, vision, creativity and will provide timely customer service as this is what we need to address the critical issues that this Commission has identified. There will be those that don't understand the decisions that we make because they do not have all the facts but we hope the public will continue to support our efforts as we rebuild the County management team. Our goal is to move the County forward and to take us to a higher performing levels that will help us bring business, jobs, prosperity to our County and its citizens. Change is hard and if we want to be successful we need to work together in harmony to get the job done and those that continue to work against the County only hurts the County and slows the progress of County expansion and the goals of the Commission which ultimately hurts the citizen's that we serve. I for one will continue to do what is best for the County as long as I'm in office.

Commissioner Graeber indicated he felt the Commission is having too many executive sessions.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the minutes from December 15, 2016.

Motion passed, 2-0, Commissioner Graeber abstaining.

Janet Klasinski indicated the city of Leavenworth is asking for an extension of their revitalization plan in which they are not extending any area.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the extension of the city of Leavenworth Neighborhood Revitalization plan.

Motion passed, 3-0.

David Lutgen indicated a petition was submitted by the residents on 189th and Hollingsworth Road concerning flooding, soil erosion and driveway damage. He indicated the county surveyor determined the right of way and the County has 40 foot along Hollingsworth Road and north on 189th Street there is 50 foot.

Mr. Lutgen indicated based on the survey work, Tonganoxie Road to the south of the resident would have to be overtopping before water would get to his home which would not be caused by the County. He indicated there are two drainage areas that drain across the property and the owners expanded footprint has blocked the run off from the west.

Commissioner Bixby indicated there is not a ditch.

Mr. Lutgen replied there is only 40 foot of right of way along there with underground utilities but will improve it the best they can.

Ms. Klasinski informed the Board the formalities required for a 5 member Commission panel indicating the first would be to pass a resolution with a publication period and in November 2017 it would be placed on the ballot; a second way is by petition that would take 5% of the county wide voters. She indicated when she looked into the at large commissioner she didn't see an option.

Mayor Dave Breuer now present.

Commissioner Elect Smith asked what would the costs would be and where the districts would be.

Dave Breuer commented the simplest way would consider keeping three districts and bring in two commissioners and expand the panel to seven with one commissioner at large.

Commissioner Graeber indicated when this goes on the final agenda to be considered the Commission should run an ad in the Leavenworth Times announcing the hearing about the possibility of expanding the Board so the public are informed.

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

Motion passed, 3-0.

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 10:38 a.m.

*****December 22, 2016*****

The Board of County Commissioners met in regular session on Thursday, December 22, 2016. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resources Director; Commissioner Elect Doug Smith; Stacy Driscoll, Register of Deeds; Larry Malbrough, Information Systems Director; Roger Marrs, Information Systems; Joe Herring, Herring Survey; Louis Klemp, 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 Holland to approve the December 19, 2016 meeting minutes.

Motion passed, 3-0.

Commissioner Holland indicated he was contacted by the Leavenworth Historical Society who requested funding in the amount of \$3,000.00 earlier this spring for computers.

Janet Klasinski reported there is the park and recreation fund in which a \$4,000.00 contribution was received. She also indicated the American Legion did not use all the funding contributed by the Board earlier this year and will be returning the unused portion.

A motion was made by Commissioner Bixby to grant up to \$3,000.00 to the Leavenworth Historical Society with a caveat to give them 60 days to raise matching funds.

Ms. Klasinski indicated she could look into sending out letters this spring for next year's budget.

Commissioner Graeber indicated he would like to see how much funding is returned from the American Legion.

The motion was seconded by Commissioner Graeber.

Motion passed, 3-0.

Commissioner Holland received two complaints and indicated he will meet with the appropriate departments to address the issues.

Commissioner Holland indicated he has been in contact with the owners of the Council on Aging building who are asking to raise the rate of the rent.

Commissioner Holland indicated a bridge was done on High Prairie Road in which funding came from MARC. He indicated one of the residents that were in condemnation has come back and has asked for a culvert to be installed on private property. Public Works indicated they would not do it on private property if it was not part of the settlement.

It was the consensus of the Board they were not in favor of installing the culvert.

Commissioner Bixby attended the MARC meeting where it was discussed where Leavenworth County rates on fire protection, roads, public health and many other subjects. He indicated copies of the report could be given to whoever needs them.

Ms. Klasinski presented budget amendments for the motor vehicle fund, the bond and interests fund, the special sales tax 20 year fund and the new bond taxable bond series.

Commissioner Bixby asked about the motor vehicle fund and if the county has to come up with \$56,000.00.

Ms. Klasinski reported that in August 2015 is when the motor vehicle budget was set and at that time the Treasurer turned in a \$700,000.00 but because of a Board discussion the budget was reduced. She indicated personnel funds increased due to additional raises given and benefits were increased but the motor vehicle fund does pay back to the general fund all benefits.

Ms. Klasinski commented this is budget authority only and has nothing to do with the cash indicating the funds are there.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to table the amendments until December 29, 2016 to consult with legal counsel.

Motion passed, 3-0.

Ms. Klasinski indicated the Sheriff's Department is requesting to transfer \$100,000.00 from the sheriff's fund to the capital improvement fund for the designation of jail panels.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the transfer of \$100,000.00 from the sheriff's fund to the capital improvement fund and approve Board Order 2016-4.

Motion passed, 3-0.

Ms. Klasinski requested to transfer \$100,000.00 from courthouse general to capital improvement fund for the replacement of the roof at the Justice Center indicating a half mill was budgeted but does not make up the entire \$600,000.00.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby for discussion to approve transfer of \$100,000.00 from courthouse general to capital improvement for the roof of the Justice Center and approve Board Order 2016-5.

Commissioner Bixby asked since the mill levy was raised how this will set with 2017 in paying this off.

Ms. Klasinski indicated this will offset some expenses for the roof.

Motion passed, 3-0.

Ms. Klasinski requested to transfer \$50,000.00 from special building fund to capital improvement fund for the replacement of the roof at the Justice Center.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to transfer \$50,000.00 from special building to capital improvement fund for the roof of the Justice Center and approve board order 2016-6.

Motion passed, 3-0.

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

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 December 26, 2016.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to protect the privacy interests of the employee (s) involved the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 10:45 a.m. Present would be the three Commissioners, Tamara Copeland and a county employee.

Motion passed, 3-0.

The Commission returned at 10:45 a.m.; no official action taken.

The Commission recessed for 5 minutes.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber in order to protect the privacy interests of the employee (s) involved the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:00 a.m. Present would be the three Commissioners, Tamara Copeland and a county employee.

Motion passed, 3-0.

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

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to authorize Tamara Copeland to restore the pay plan as originally intended to the two employees and confer with department heads next week.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to protect the privacy interests of the employee (s) involved the Board goes into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:20 a.m. Present would be the three Commissioners, Larry Malbrough, Roger Marrs and Tamara Copeland.

Motion passed, 3-0.

The Commission returned at 11:20 a.m.; no official action was taken.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to appoint Roger Marrs as Deputy Director of Information Systems and approve the personnel action.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby in order to preserve the security of county buildings the Board go into executive session to discuss a matter of security and to return to open session in this meeting room at 11:35 a.m. Present would be the three Commissioners and Trevor Huhn.

Motion passed 3-0.

The Commission returned at 11:34 a.m.; no official action was taken.

Roger Marrs presented a proposed contract for tax related matters for 2017 and authorize him to train a replacement and is asking for higher compensation because of title search work that is conducted by him.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the contract for Roger Marrs for the 2017 tax sales.

Motion passed, 3-0.

The Board adjourned at 11:42 a.m.

Final Approved

*****December 29, 2016*****

The Board of County Commissioners met in session I on Thursday, December 29, 2016. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resources Director; Commissioner Elect Doug Smith; David Lutgen, Public Works Director; Tim Vandall, City of Lansing Administrator; Krystal Davis, Planner; Michael Swan, Assistant Planner; Jeff Joseph, Director of Planning and Zoning; Joe Herring, Herring Survey; Louis Klemp, Resident; Curtis Oroke, Resident; Ryan Siebenmorgan, Resident; Alan Pryor, Resident; Richard Spacek, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Alan Pryor indicated he was informed he is not in compliance with a 105 foot right of way if his residence is destroyed he would have to rebuild the home set back the 105 feet and requested a temporary variance until the house is sold.

Jeff Joseph indicated the resident would have to go in front of the Board of Planning and Zoning appeals to ask for a variance.

Ryan Siebenmorgan purchased property on 219th and Millwood Road and has been issued a building permit. He commented he would like to the county to gravel 219th back to the house the way Public Works built the road 3 or 4 years ago.

Dave Lutgen indicated there is a right of way but policy requires that fences have to be moved within the right of way. This gives the county the opportunity to acquire right of way now before we have to pay for it. There are portions of that dirt road that are on private property.

Commissioner Bixby indicated he would like time for Mr. Siebenmorgan to work this out with Public Works.

Louis Klemp indicated the county has hired two lawyers and the public has not been informed and commented the rumor is that an elected official cannot gain access to the courthouse.

Commissioner Bixby indicated the second matter deals with Courthouse security and will not discuss in open session.

Commissioner Graeber indicated this Board does not have the authority to keep an elected official out of the Courthouse.

Commissioner Bixby replied he took action he felt was necessary to secure the Courthouse.

Janice Van Parys is now present.

Commissioner Graeber indicated the county has not retained two attorneys.

Janice Van Parys commented her husband has not been on courthouse property outside of work hours since his termination.

ADMINISTRATIVE BUSINESS:

Commissioner Holland asked Janet Klasinski if she received an attorney's opinion on the motor vehicle transfer.

Ms. Klasinski replied she made a mistake and did not have to amend the motor vehicle fund. She did a replacement page for the budget book so the Board would only be amending the funds previously approved.

***A motion was made by Commissioner Bixby to approve the December 22, 2016 meeting minutes.
Motion passed, 3-0.***

Commissioner Graeber asked if the Council on Aging rental agreement has been settled.

Commissioner Holland replied he will be speaking with the owners today.

***The motion was seconded by Commissioner Graeber.
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 2, 2017.
Motion passed, 3-0.***

Commissioner Holland received a letter from Leavenworth Historical Society and they will be starting a fundraiser this spring and would like to request funding up front.

A motion was made by Commissioner Bixby to rescind previous motion that gives up to \$3,000 matching funds.

Motion dies for lack of a second.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to pay \$3,000 forward with the understanding that the Leavenworth County Historical Society will match funds and show the Commission in writing the amount they raise this spring and to refund any amount.
Motion passed, 2-1 Commissioner Bixby voting nay.***

A motion was made by Commissioner Graeber to lift any restriction on Janice Van Parys' access to the courthouse.

Motion dies for lack of a second.

Tim Vandall clarified the new revitalization plan does not include new residential construction just renovations for current residents. He met with the County Appraiser and he did not see any issues with the plan.

Commissioner Bixby commented his only concern was the property on Eisenhower Road. Mr. Vandall indicated the 20th and Eisenhower Road area within Lansing was removed from the revitalization plan.

***A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the city of Lansing Neighborhood Revitalization Plan.
Motion passed, 3-0.***

Tamara Copeland indicated the Board approved new policies on December 12 and December 15 and requested approval to implement these policies into the Leavenworth County handbook.

A motion was made by Commissioner Bixby to approve the Leavenworth County Handbook with the revised policies.

An alternative motion was made by Commissioner Graeber to put the policies in abeyance for 60 days until new Commissioner has time to review.

Motion dies for lack of second.

The original motion was seconded by Commissioner Holland.

Motion passed, 2-1 Commissioner Graeber voting nay.

Jeff Joseph indicated Mr. Payor is having issues with the bank in not accepting the letter from Planning and Zoning telling them it is a compliant lot so Mr. Joseph will call the bank and speak to them.

The Board adjourned Session I at 10:06 a.m.

Final Approved

*****December 29, 2016*****

The Board of County Commissioners met in session II on Thursday, December 29, 2016. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Tamara Copeland, Human Resources Director; Commissioner Elect Doug Smith; David Lutgen, Public Works Director; Krystal Davis, Planner; Michael Swan, Assistant Planner; Jeff Joseph, Director of Planning and Zoning; Louis Klemp, Resident; Curtis Oroke, Resident; Richard Spacek, Resident; John Richmeier, Leavenworth Times

Session II

Planning and Zoning presented case number DEV-16-113 a special use permit for motion picture production and events and the applicant has requested he be allowed to use his film set as a living history museum and to host small events.

No one spoke in favor or in opposition of this issue.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve DEV-16-113, a special use permit for motion picture production and events; subject to all conditions.

Commissioner Bixby asked about sanitation and parking.

Krystal Davis reported there are port-a- potties and a designated area for off road parking.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve resolution 2016-46, issuing a special use permit for motion picture production and events.

Motion passed, 3-0.

Planning and zoning presented case number DEV-16-115 a special use permit for a small limited business for a machine shop that produces prototypes and small production runs.

No one spoke in favor or opposition of this issue.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve case number DEV-16-115, a special use permit for a small limited business, subject to all conditions.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve resolution 2016-47, issuing a special use permit for a small limited business.

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.

Ms. Klasinski requested approval of the bonds and interest budget amendment and tax bond series 2016 B.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to approve the bonds and interest and tax bond series 2016 B amendments.

Motion passed, 3-0.

Ms. Klasinski requested approval for budget amendment to Sewer District #3 in the amount of \$2,400.00.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve Sewer District #3 amendment in the amount of \$2,400.00.

Motion passed, 3-0.

Ms. Klasinski indicated she has additional board orders to include the Noxious Weed fund to move \$16,000.00 into Noxious Weed equipment reserve fund for the replacement of the chipper.

A motion was made by Commissioner Bixby seconded by Commissioner Graeber to approve the transfer of \$16,000.00 into the Noxious Weed equipment reserve fund.

Motion passed, 3-0.

Ms. Klasinski indicated the Sheriff's Department sold several cars on Purplewave and received proceeds in the amount of \$31,100.00 and requested to transfer those funds into the Sheriff's Department equipment reserve fund for future purchases.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to transfer \$31,100.00 into the Sheriff's Department equipment reserve fund.

Motion passed, 3-0.

Ms. Klasinski indicated the Solid Waste department paid off trucks early and requested to transfer \$30,000.00 to capital improvement fund for facility improvement at Solid Waste.

A motion by Commissioner Bixby seconded by Commissioner Graeber to approve the transfer of \$30,000.00 to capital improvement fund for facility improvements at Solid Waste.

Motion passed, 3-0.

Ms. Klasinski indicated she purchased new equipment in 2016 and requested to transfer \$50,000.00 from the election fund to the equipment reserve election fund for future purchase of voting equipment.

A motion was made by Commissioner Graeber and seconded by Commissioner Bixby to approve the transfer of \$50,000.00 from the election fund to the equipment reserve election fund for future purchase of voting equipment.

Motion passed, 3-0.

Ms. Klasinski indicated road and bridge has excess budget authority in the amount of \$400,000.00 but want Mr. Lutgen to explain the construction of bridge SH-15.

David Lutgen estimated cost of the bridge is \$400,000.00 and will need to be under contract by March 13 or the County will lose \$120,000.00 in matching funds from KDOT.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve the transfer of funds in the amount of \$400,000.00 to road and bridge reserve fund for bridge SH-15.

Motion passed, 3-0.

Ms. Klasinski received membership dues to KAC in the amount of \$14,906.39 the county benefits from this organization and requested approval for renewal.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to approve renewal of the KAC dues in the amount of \$14,906.39.

Motion passed, 3-0.

Ms. Klasinski reported that OneBeacon will be retained as the county's insurance company and will have a 3 year rate guarantee coming in at \$60,000.00 less than last year.

Ms. Klasinski indicated she has additional information on the 5 member commission panel that could be placed on the agenda for next week.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland in order to protect the privacy interests of the employee (s) involved the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:20 a.m. Present would be the three Commissioners, David Lutgen and Tamara Copeland.

Motion passed, 3-0.

The Commission returned at 11:21 a.m.; no official action taken.

A motion was made by Commissioner Bixby and seconded Commissioner Holland in order to protect the privacy interests of the employee (s) involved the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:30 a.m. Present would be the three Commissioners and Tamara Copeland and guest.

Motion passed, 3-0.

The Commission returned at 11:31a.m.; no official action was taken.

A motion was made by Commissioner Bixby and seconded Commissioner Holland in order to protect the privacy interests of the employee (s) involved the Board go into executive session to

discuss non-elected personnel and to return to open session in this meeting room at 11:40 a.m. Present would be the three Commissioners and Tamara Copeland.

Motion passed, 3-0.

The Commission returned at 11:41 a.m.; no official action was taken.

A motion was made by Commissioner Bixby and seconded Commissioner Holland in order to protect the privacy interests of the employee (s) involved the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 11:55 a.m. Present would be the three Commissioners and Tamara Copeland.

Motion passed, 2-1 Commissioner Graeber voting nay.

The Commission returned at 11:55 a.m.; no official action was taken.

A motion was made by Commissioner Holland to process and finalize two personnel actions.

Commissioner Graeber asked to explain the personnel actions.

Commissioner Bixby will have Ms. Copeland initiate a three year personnel actions with two individuals.

The motion was seconded by Commissioner Bixby.

Commissioner Graeber explained he is voting no not to question any qualifications of the individuals but he does not support contracts for employees.

Motion passed, 2-1 Commissioner Graeber voting nay.

Commissioner Bixby presented information from MARC specifically for Leavenworth County on ratings regarding growth and how the county is doing.

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

Motion passed, 3-0.

Tamara Copeland announced the Deputy County Counselor, Mollie Hill that was hired has accepted the County Counselor position.

The Board adjourned at 12:13 p.m.

*****December 30, 2016*****

The Board of County Commissioners met in session on Friday, December 30, 2016. Commissioner Holland and Commissioner Bixby are present; Commissioner Graeber is absent; Also present: Becky Matzeder, Executive Secretary; David Lutgen, Public Works Director; Sarah Schafer, Deputy Director of Public Works; Kim Buchanan, Deputy Director of Emergency Management; Tamara Copeland, Human Resources Director; John Richmeier, Leavenworth Times

Commissioner Holland indicated this meeting was called to address the urgent request to address the issue with the Leavenworth County Treasurer keypad functionality. He indicated she has been able to access the building and her office and there has been no disruption of work.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to authorize Public Works Director or designee to fix any keypad functionality issue for the County Treasurer Department by 5:00 p.m. today.

Motion passed 2-0.

Commissioner Bixby indicated whatever statements made about David Van Parys and his access to the Courthouse was obtained by reports and some data has been collected and did not mean anything personal by it.

Commissioner Bixby indicated this took place in executive session but did not hear Commissioner Holland's consensus but at no time did he try to do anything but act in the best interests of the County.

The Board adjourned at 4:03 p.m.