

*****January 5, 2017 SESSION I*****

The Board of County Commissioners met in session I on Thursday, January 5, 2017. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Public Works Director; Commissioner Elect Doug Smith; Debbie Cox, Accounts Payable; Tamara Copeland, Human Resource Director; Karol Lohman, Extension Office; Brenda Taxeras, Extension Office; Chuck Magaha, Emergency Management Director; Joe Herring; Herring Survey; Ryan Siebenmorgan, Resident; Louis Klemp, Resident; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Ryan Siebenmorgan indicated his issue with the 40 foot of right of way has not been resolved with Public Works.

Commissioner Holland commented both property owners should have to give 20 foot of right of way.

David Lutgen replied the total right of way that is required is 80 feet, 40 feet on each side of the section line and if the other property owner came in to do anything that they would be required the 40 feet as well.

Mark Loughry referred to staff recommendations.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber that in exchange for the 40 foot of right of way, Public Works will use RIF funds to gravel Mr. Siebenmorgan's driveway.

Motion passed, 2-1 Commissioner Holland voting nay.

Brenda Taxeras with the Extension Office provided the Board with information on what 4-H is accomplishing in Leavenworth County.

Louis Klemp requested the contract for a law firm.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the December 29, 2016 Session I meeting minutes as amended.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the December 29, 2016 Session II meeting minutes as amended.

Motion passed, 2-1 Commissioner Graeber voting nay.

Commissioner Holland made a statement apologizing for statements made regarding David and Janice Van Parys.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland discussion for approval of the agenda for the week of January 9, 2017.

Commissioner Holland indicated the agenda item regarding the elected official salaries has already been approved.

Ms. Copeland indicated it was approved on November 28th.

Commissioner Graeber indicated that statutorily the salaries may have to be on the agenda for approval in January.

A motion was made by Commissioner Bixby seconded by Commissioner Holland to approve the agenda for the week of January 9, 2017 pending the recommendation of counsel.

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.

Commissioner Holland introduced Debbie Cox, Accounts Payable as the first employee of the month.

Chuck Magaha requested to decommission an ambulance that was converted to a special rescue rehabilitation unit for responders and recommended to pass the unit to Sherman Township.

A motion was made by Commissioner Bixby and seconded by Commissioner Graeber to allow the Emergency Management to decommission the converted ambulance and pass the unit to Sherman Township.

Motion passed, 3-0.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland in order to protect the financial interests of the county the Board goes into executive session to discuss the possible acquisition of real property to include lease and to return to open session in this meeting room at 10:05 a.m. Present would be the three Commissioners, Mark Loughry, Mollie Hill and Andrea Hughes.

Motion passed, 3-0.

The Commission returned at 10:07 a.m.; no official action taken.

Andrea Hughes recommended a motion to direct the counselor's office and financial office to negotiate contracts discussed in executive session and to report back to the Board in 60 days.

A motion was made by Commissioner Bixby and seconded Commissioner Holland to direct the counselor's office and financial office to negotiate contracts discussed in executive session and to report back to the Board in 60 days.

Motion passed, 3-0.

Commissioner Holland indicated he feels there have been Courthouse security problems.

Ms. Hughes recommended a motion to have the clerk, counselors and building maintenance to secure the door previously discussed and only that issue.

Commissioner Holland recommended Buildings and Grounds go through the keys to make sure they fit the door the person has.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to allow Buildings and Grounds to do a key inventory of the courthouse but to include the Sheriff's department and to secure the door previously discussed in executive session.

Motion passed, 3-0.

The Board adjourned at 10:13 a.m.

At 10:49 a.m. the Board reconvened.

Commissioner Holland indicated he prematurely adjourned.

Commissioner Graeber asked if legally the Board can reconvene and indicated Session II has already been done.

Commissioner Holland apologized and indicated Commissioner Graeber was correct.

The Board adjourned at 10:52 a.m.

Final Approved

*****January 9, 2017*****

The Board of County Commissioners met in regular session on Monday, January 9, 2017. Commissioner Holland, Commissioner Bixby and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Commissioner Elect Doug Smith; Janice Van Parys, Leavenworth County Treasurer; Jennifer Schermbeck, Deputy Treasurer; Tamara Copeland, Human Resources Director; Jennifer Anderson, Payroll Manager; David Lutgen, Public Works Director; Larry Malbrough, Information Systems Director; Dave Hoffman, Attorney at Law; Joe Herring, Herring Survey; John Matthews, Resident; Louis Klemp, Resident; Dean Oroke, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp, Dean Oroke and John Matthews spoke in public comment.

Commissioner Graeber indicated he was not aware of the terms of the contracts in regards to paying someone if they were terminated and the pay would continue through the term of the contact. He stated he believes that is illegal and will be sending all information to the Attorney General for review.

ADMINISTRATIVE BUSINESS:

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

Motion passed, 2-0. Commissioner Graeber abstains.

A motion was made by Commissioner Bixby and seconded by Commissioner Holland to approve the January 5, 2017 meeting minutes.

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

Janice Van Parys reported the administrative leave issue was a payroll issue that has been temporarily resolved and asked the issue be tabled for this afternoon so she may receive future guidance for future closings.

Dave Hoffman, attorney at law, indicated on December 30 the Treasurer sent her employees home on administrative leave after the closing of the books and cleaning was done. He indicated the employees that are funded by the motor vehicle fund are at the total discretion of the Treasurer and reported only two of those employees are hourly.

Mollie Hill indicated there are numerous Attorneys' General opinions that an elected official is required to follow County pay plans, pay schedules, rules and regulations that are applicable to all County employees.

Jennifer Anderson indicated administrative leave is used for early closure due to weather, power outages or other situations authorized by the Board.

A motion was made by Commissioner Graeber to approve the administrative leave for the employees involved.

The motion was seconded by Commissioner Bixby for discussion and suggested to put a letter of record in the Treasurer's files as a final warning that this exception will not be granted again.

Commissioner Bixby withdraws his second.

Motion dies for lack of second.

A motion was made by Commissioner Holland and seconded by Commissioner Bixby to follow county policy and deny the administrative leave.

Motion passed, 2-1 Commissioner Graeber voting nay.

A motion was made by Commissioner Holland that in order to protect the privacy interests of the employee involved the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 10:20 a.m. Present would be the three Commissioners, Mollie Hill and Tamara Copeland.

Commissioner Graeber asked why do we have an executive session now when there is one scheduled later in the afternoon.

Motion seconded by Commissioner Bixby.

Motion passed, 2-1 Commissioner Graeber voting nay.

The Commission returned at 10:21 a.m.; no official action was taken.

The Board adjourned sine die at 10:21 a.m.

The Board reconvened at 12:00 p.m. for the Board to reorganize for 2017.

A motion was made by Commissioner Holland to appoint Commissioner Graeber as temporary chairman.

Commissioner Graeber indicated he did not wish to be chairman.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to elect Doug Smith as chairman for 2017.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to have the Leavenworth Times as the official paper for the County for 2017.

Motion passed, 2-1 Commissioner Holland voting nay.

Janet Klasinski indicated the main depository is Commerce bank and wished to continue with them.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to remain with Commerce Bank as the main depository for 2017.

Motion passed, 3-0.

The Board addressed regular meetings days with Commissioner Smith asking department heads how Monday meetings work for them.

Janet Klasinski indicated her office would see an advantage to having meetings on Tuesdays with regards to bill days.

Commissioner Holland asked if the meeting days could be changed later in the year.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to leave the meetings days as is.

Motion passed, 3-0.

Commissioner Smith asked if the bill days would change since the meetings days will remain the same.

Debbie Cox indicated bill days are generally the fourth Monday of each month.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the 2017 bill days.

Motion passed, 3-0.

A motion was made by Commissioner Holland that in order to protect the privacy interests of the employee involved the Board go into executive session to discuss non-elected personnel and to return to open session in this meeting room at 12:30 p.m. Present would be the three Commissioners, Mark Loughry, Mollie Hill and Tamara Copeland.

Commissioner Graeber asked the purpose of the executive session.

Commissioner Smith announced he does not want to start his first day with an executive session that he knows nothing about.

Motion dies for lack of second.

Ms. Cox indicated the mileage needs updated to .535 for 2017.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve mileage for 2017 at a rate of .535.

Motion passed, 3-0.

Commissioner Smith would like to move the January 12th meeting to January 11th due to training in Topeka.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to move January 12th meeting to January 11th.

Motion passed, 3-0.

A motion was made by Commissioner Graeber to suspend all County policies and procedures for 30 days until such time as the new Board can review them as to the content and effect.

Ms. Copeland indicated the policies are in force and are out to the employees.

Commissioner Graeber indicated they would be in suspense.

Mark Loughry stated he would not recommend suspending all policies that would include vacation, holidays and sick leave and requested 30 days to bring it back to the Board.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to review all policies within 30 days to make any changes.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to form a committee to work with Human Resources to review the policies and procedures that would consist of the department heads, supervisors and elected officials.

Motion passed, 2-1 Commissioner Holland voting nay.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to designate the County Clerk as the official keeper of all documents approved and signed by the Board of County Commissioner per Kansas statute as well as appoint the County Clerk as the contact person for all open records requests.

Motion passed, 2-1 Commissioner Holland voting nay.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to pay the administrative leave to the employees of the Treasurer's office on the closing day of the year.

Motion passed, 2-1 Commissioner Holland voting nay.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to reinstate the ability for department heads and elected official to listen to the board meetings remotely and request the I.T. director look into costs of live streaming the meetings to the public.

Motion passed, 2-1 Commissioner Holland voting nay.

Commissioner Graeber requested the Board and the County to contact Mike Spickelmier if there would be interest in coming back to Leavenworth County to oversee the sales tax projects and the industrial parks.

Commissioner Holland indicated it is County policy that anyone who has sued the County or has been terminated for cause cannot be rehired.

Commissioner Graeber indicated by a separate motion that could be overturned.

A motion was made by Commissioner Smith to reinstate David Van Parys as senior county counselor with the primary duties to manage the sales tax projects.

Commissioner Holland indicated it's against County policy.

Commissioner Smith restated his motion to reinstate David Van Parys as senior county counselor with his duties to manage the sales tax projects and his salary would be paid out of the sales tax funds.

The motion was seconded by Commissioner Graeber.

Commissioner Holland reiterated his comment of going against County policy.

Mr. Loughry stated elected boards have the ability to set aside policy at any time indicating the motion is not clear on what direction the Board wants to accomplish with that. He requested the Board to give staff a week to review the agreements and financial status.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to give staff a week to review the motion and proposal.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to schedule a meeting with the outside emergency legal counsel to update him on why they were retained and what they are working on.

Motion passed, 3-0.

A motion was made by Commissioner Smith for quarterly staff meetings to meet with the Commission. The motion was seconded by Commissioner Holland for discussion.

Motion passed, 3-0.

Roger Marrs presented an amended contract to the Board that gives them flexibility within the scope of his contract to resolve other matters as requested by the Board.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the amended contract from Roger Marrs.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to adjourn.

Motion passed, 3-0.

The Board adjourned at 12:40 p.m.

Final Approved

*****January 11, 2017*****

The Board of County Commissioners met in regular session on Wednesday, January 11, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Public Works Director; Sarah Shafer, Deputy Director Public Works; Trevor Huhn, Buildings and Ground; Larry Malbrough, Information Systems Director; Stacy Driscoll, Register of Deeds; Tamara Copeland, Human Resources Director; Jamie Miller, EMS Director; Dave Breuer, Mayor of Basehor; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Laura Elkins, Leavenworth Historical Society; Dean Oroke, Resident; Louis Klemp, Resident; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Laura Elkins with the Leavenworth Historical Society stated they are making application to the convention bureau and requested a letter of support from the Commission.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to draft a letter of support for the Leavenworth Historical Society.

Motion passed, 3-0.

Louis Klemp asked if there was a county policy on monitoring phone calls and spoke about the Road and Bridge superintendent contract.

Larry Malbrough commented two departments have the ability to record phone calls that is law enforcement and public works indicating the County does not record phone calls.

Tamara Copeland indicated Human Resources do not have the capability to monitor phone calls.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the January 9, 2017 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland for approval of the agenda for the week of January 16, 2017.

Motion passed, 3-0.

Trevor Huhn requested to advertise for replacement of the jail rooftop units.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize Public Works to advertise for replacement of the jail rooftop units.

Motion passed, 3-0.

Commissioner Holland presented a fence viewing.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to direct the County Counselor to schedule a fence viewing.

Motion passed, 3-0.

Sarah Shafer presented an update on 147th Street indicating utility relocation is continuing with water district #1 is still on hold waiting an agreement.

Ms. Shafer presented an update on McIntyre Road indicating design is at 95% complete and the schedule has been placed on hold due to the condemnation.

Ms. Shafer presented an update on Eisenhower Road indicating Public Works will be meeting with homeowners about property acquisitions prior to public meeting and requested permission to bid for appraisers.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve Public Works to bid for appraisers on Eisenhower Road for property acquisitions.
Motion passed, 3-0.***

Dave Lutgen indicated Mt. Olivet Road on the east side will be open by the end of the month weather permitting.

Mr. Lutgen stated on 179th condemnation information has been sent to the County Counselor.

Mr. Lutgen indicated bridge SH-15 requested approval to solicit bids for construction.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to solicit bids for Bridge SH-15.
Motion passed, 3-0.***

Mr. Lutgen presented a revision to the Access Management Policy indicating language was added to address limiting the number of access points on collector and arterial roads.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the revised Access Management Policy.
Motion passed, 3-0.***

***A motion was made Commissioner Graeber seconded by Commissioner Smith to approve resolution 2017-1, a resolution adopting a new access management policy to govern all roadways under jurisdiction of the Board of County Commissioners.
Motion passed, 3-0.***

Mr. Lutgen requested approval to issue RFQ for the design of a new structure to replace Bridge HP-19.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve RFQ for the design to replace Bridge HP-19.
Motion passed, 3-0.***

Mr. Lutgen requested approval to issue RFP for the survey and design of 251st Street from K-16 to Parallel using funds from the Tonganoxie Township RIF account.

***A motion was made by Commissioner Holland and seconded by Commissioner Smith to authorize Public Works to issue RFP for the survey and design of 251st Street from K-16 to Parallel.
Motion passed, 3-0.***

Mr. Lutgen stated the city of Leavenworth is replacing the bridge on 2nd Street and they are requesting temporary construction easement in front of the Westar building the County owns.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize the chairman to sign a temporary easement for the city of Leavenworth on the 2nd Street Bridge replacement.

Motion passed, 3-0.

Mr. Lutgen addressed the issue of road and bridge superintendent indicating he started work on January 3rd and was not aware of the contract.

Ms. Copeland indicated there was a motion to approve a personnel action which included the development of a contract.

Commissioner Holland presented an anonymous letter that was addressed to John Richmeier with the Leavenworth Times.

A motion was made by Commissioner Graeber that all personnel policies adopted by the previous Board of County Commissioners within 90 days of today be suspended and that the new Commission have time to review those policies and the opportunity to study and completely review the same.

Mollie Hill stated at the last meeting a motion was made for a committee to be formed and was directed to form that committee also suggesting not to suspend all policies that would include vacation, holidays, etc.

Mark Loughry requested 30 days as previously granted by the Board to review policies.

Andrea Hughes responded to the request about meeting days indicating statutes require have a meeting twice a week and can be changed to different days.

Mr. Malbrough indicated Information Systems has not received county property from a previous employee.

Mr. Loughry will reach out to that employee.

The Board adjourned at 10:17 a.m.

*****January 19, 2017 SESSION I*****

The Board of County Commissioners met in regular session on Thursday, January 19, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Director of Public Works; Sarah Shafer, Deputy Director of Public Works; Larry Malbrough, Information Systems Director; Roger Marrs, Information Systems Deputy Director; Vernon Fields, City of Basehor Council; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Dan Lynch, Realtor; Larry Van Fleet, Resident; Dean Oroke, Resident; John Matthews, Resident; Dan Butler, Resident; David Van Parys, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Dan Lynch requested a driveway to be moved from an arterial road on 170th Street to a collector road on Stilwell Road.

David Lutgen requested to table the matter until he can review it.

Louis Klemp requested answers to several questions.

Joe Herring requested the Board to further discuss the Access Management Policy.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the January 11, 2017 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to amended today's agenda to include two executive sessions to discuss contracts and attorney/client privileges.

Motion passed, 3-0.

Commissioner Smith signed a letter of support to the Leavenworth Historical Society.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith for approval of the agenda for the week of January 23, 2017 as amended.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland 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 Smith to adjourn session I.

Motion passed, 3-0.

The Board adjourned Session I at 9:22 a.m.

*****January 19, 2017 SESSION II*****

The Board of County Commissioners met in regular session on Thursday, January 19, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Director of Public Works; Sarah Shafer, Deputy Director of Public Works; Larry Malbrough, Information Systems Director; Roger Marrs, Information Systems Deputy Director; Vernon Fields, City of Basehor Council; Tim Vandall, City of Lansing Administrator; Ken Miller, City of Lansing; Larry Van Fleet, Resident; Dean Oroke, Resident; John Matthews, Resident; Dan Butler, Resident; John Richmeier, Leavenworth Times

Session II began at 9:31 a.m.

Mark Loughry presented a proposed board policy that would form a review committee for countywide policies and procedures.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the County policy forming the policy, procedure and benefit review committee.

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

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to move to recess into executive session to discuss a contract to protect the privacy of the parties involved and to protect the County contract strategy attorney and client privilege and will reconvene in this meeting room at 9:45 a.m. to include the three Commissioners, Mollie Hill, Andrea Hughes and Mark Loughry.

Motion passed, 3-0.

The Board returned from executive session and returned to open session at 9:45 a.m.; no decisions were made in executive session.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to allow Mark Loughry to continue contract negotiations.

Motion passed, 2-1 Commissioner Holland voting nay.

Sarah Shafer briefed the Board on McIntyre Road following a meeting with the City of Lansing indicating two factors brought forward by the public were to reduce the cost and reduce the scope of impact to property frontage presenting a compromise on a design speed revision saving one million dollars.

Tim Vandall commented how the project can be called an improvement when people are driving an average of 42 mph and build a 35 mph road.

Dan Butler expressed concern about safety of the speed limit indicating what has been proposed is a good compromise.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber moved in order to preserve the attorney/client privilege the Board go into executive session to discuss contractual matters to resume session in this office at 10:30 a.m. Present would be the three Commissioners and Roger Marrs.

Motion passed, 3-0.

The Board returned from executive session and returned to open session at 10:30 a.m.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber due to conflicts of interest the Board engage the services of outside legal counsel to advise the Board concerning certain contractual matters and directed Roger Marrs to oversee this matter.

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

The Board adjourned Session II at 10:32 a.m.

Final Approved

*****January 23, 2017*****

The Board of County Commissioners met in regular session on Monday, January 23, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present: Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Larry Malbrough, Information Systems Director; David Lutgen, Public Works Director; Sarah Shafer, Deputy Public Works Director; Ken Miller, City of Lansing; John Matthews, Resident; Dean Oroke, Resident; Dan Butler, Resident; Joanne Aaron, Resident; Louis Klemp, Resident; David Van Parys, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp made public comment.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to have Mr. Klemp provide legal counsel a list of questions to see if answers can be provided.

Motion passed, 3-0.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the January 19, 2017 Session I meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the January 19, 2017 Session II meeting minutes.

Motion passed, 3-0.

Mollie Hill presented the Leavenworth County Maintenance project agreement indicating the language is the same as last year with the addition of the addendum that the County is responsible for their own employees' actions and Lansing Correctional Facility will not be held responsible.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the Leavenworth County Maintenance project agreement.

Motion passed, 3-0.

Larry Malbrough discussed the two options for live streaming the BOCC meetings indicating the minimal option would be to upload it to YouTube.

Commissioner Smith directed Mr. Loughry to check into where the funding would come from for an enhanced option.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to stream BOCC meetings with the minimal option in the amount of \$4,000.00.

Motion passed, 3-0.

Sarah Shafer updated the Board after the city of Lansing council meeting indicating Lansing is requesting an acknowledgment from the Board that they are in favor of keeping the funds saved from the project within the Lansing city area and review the priority list.

Mr. Loughry indicated Leavenworth County is not committed to spending the dollar amount but to finishing the project. He suggested to review the requests but not to commit to new projects until the projects are completed that Leavenworth County said they were going to do.

A motion was made by Commissioner Graeber to direct Public Works to move forward on the design of McIntyre Road and continue with negotiations with the city of Lansing on future projects.

Dan Butler spoke about the speed limit on McIntyre Road.

***The motion was seconded by Commissioner Holland.
Motion passed, 3-0.***

Commissioner Graeber requested David Lutgen to provide a written update on the sales tax projects.

Commissioner Holland asked if legal action could be taken against the water district on 147th Street.

Ms. Shafer indicated a meeting will be held on February 5 with the water district.

Mr. Lutgen requested authorization to purchase replacement of two roadside sprayers and recommended to accept bid from Sprayer Specialties in the amount of \$19,350.00 for a right side only sprayer and bid from Westheffer in the amount of \$28,000.00 for a truck that will spray from either side.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to accept one sprayer from each bidder.
Motion passed, 3-0.***

Mr. Lutgen requested authorization to solicit bids for chemicals for resale to county residents.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to authorize Public Works to solicit for bids for chemicals for resale.
Motion passed, 3-0.***

Mr. Lutgen requested to solicit bids for sign material.

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

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to recess into executive session to discuss contract negotiations in order to protect the County contract strategy, present in this session will be the three Commissioners, Financial Administrator Mark Loughry, County Counselor, Mollie Hill return at 10:10 a.m.
Motion passed, 2-1 Commissioner Holland voting nay.***

The Commission returned at 10:12 a.m.; no decisions were made.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to put the proposal discussed in executive session on the agenda for Thursday for consideration and possible action.
Motion passed, 2-1, Holland voting nay.***

The Board adjourned at 10:13 a.m. to review bills for the remainder of the day.

Final Approved

*****January 26, 2017*****

The Board of County Commissioners met in regular session on Thursday, January 26, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Planner; Michael Swan, Planner; Joe Herring, Herring Survey; Dan Lynch, Realtor; David Thiel, Realtor; Clifton DeMoss, Attorney at Law; Ron Schneider, Attorney at Law; Ken Miller, City of Lansing; Dean Oroke, Resident; Louis Klemp, Resident; John Matthews, Resident; David Van Parys, Resident; Bill and Gratia Carver, Residents; Stephanie Navinsky, Resident; Mark Breuer, Resident; James Jordan, Resident; Mark Preisinger, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Mark Breuer spoke about the Access Management Policy.

Louis Klemp presented the Board with a list of questions.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the January 23, 2017 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith for approval of the agenda for the week of January 30, 2017.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-122/123 a preliminary and final plat for Edholm Acres.

The applicant, Joe Herring indicated his clients are requesting a safe entrance location on the south side of lot 2 and Public Works is requesting erosion control when designing and constructing the driveways.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to table Case Number DEV-16-122/123 for two weeks for Public Works to review.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-16-119, a request for special use permit for Carver Event Center, requesting an event center to hold wedding receptions, family reunions and other similar events.

Clifton DeMoss spoke on behalf of the applicants indicating his clients are requesting a 10 year permit and four employees.

Gratia Carver, Bill Carver, Dan Lynch and Pete St. Peter spoke in favor of the case.

Ron Schneider, William Terrell and Daren Fox spoke in opposition of the case.

Mr. Carver spoke in rebuttal.

Mr. Schneider spoke in rebuttal.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland for approval of a five year permit for the Carver Event Barn.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of case number DEV-16-119 for a special use permit for Carver Event Center to include a 10 year permit and 4 additional employees subject to all other conditions.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-2.

Motion passed, 3-0.

Mark Breuer, Joe Herring, Dan Lynch and Dave Thiel expressed concerns about the Access Management Policy.

Mark Loughry recommended that Mark Breuer work with Public Works and Planning and Zoning to come up with a proposal that everyone could work with.

It was a consensus of the Board to review this matter in 30 days.

Mr. Lynch indicated the driveway location on 170th street and Stillwell road has been resolved.

Discussion was held regarding a contract for legal services related to sales tax projects.

Mark Preisinger and Louis Klemp spoke about the contract.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the contract with David Van Parys for legal services related to sales tax projects.

Motion passed, 2-1 Commissioner Holland voting nay.

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

Motion passed, 3-0.

The Board adjourned at 11:16 a.m.

*****January 30, 2017*****

The Board of County Commissioners met in regular session on Monday, January 30, 2017. Commissioner Smith, Commissioner Holland and Commissioner Graeber are present: Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Tim Vandall, Lansing City Administrator; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Dean Oroke, Resident; John Matthews, Resident; Dan Butler, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Tim Vandall commented the city of Lansing is working on an economic development report that would coordinate with road improvements concurrent with the plans to scale back on the McIntyre Road project.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the January 26, 2017 meeting minutes.

Motion passed, 2-1 Commissioner Holland voting nay.

A work session was held to discuss when the agenda gets approved and posted and how items are presented to the Board.

It was the consensus of the Board to leave the agenda as is.

Mark Loughry indicated he would like to change the format of the agenda and presented a request of board action form that would be part of briefing reports.

Mollie Hill suggested developing a policy when a fence viewing is requested that would include a committee that will conduct it along with an application process.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland 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 Smith to adjourn the meeting.

Motion passed, 3-0.

The Board adjourned at 9:44 a.m.