

\*\*\*\*\*February 2, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Thursday, February 2, 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; Janice Van Parys, Leavenworth County Treasurer, Denise Sheehan, Treasurer's Office; Linda Lobb, Director of Council on Aging; Jamie Miller, Director of EMS & Health Department; Ken Miller, City of Lansing; John Bradford, Resident; John Matthews, Resident; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the January 30, 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 February 6, 2017.***

***Motion passed, 3-0.***

Janice Van Parys introduced Denise Sheehan as the Employee of the Month for the month of February.

Linda Lobb presented the quarterly report for Council on Aging highlighting transportation and meals on wheels.

Ms. Lobb requested the purchase of a video camera used in educational presentations.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the purchase of a video camera with funds from the Memorial Account in the amount of \$2,000.00.***

***Motion passed, 3-0.***

Jamie Miller presented the quarterly report for EMS providing statistics for total calls, response time, call volume and vehicle maintenance.

Mr. Miller presented the quarterly report for the Health Department.

***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 Holland to adjourn.***

***Motion passed, 3-0.***

The Board adjourned at 9:55 a.m.

\*\*\*\*\*February 6, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Monday, February 6, 2017. Commissioner Smith and Commissioner Graeber are present; Commissioner Holland is absent: 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; Jeff Culbertson, GIS Director; Wayne Doty, GIS; Chuck Magaha, Director of Emergency Management; Megan Waters, Adult Community Corrections Director; Tim Vandall, Lansing City Administrator; Mike Smith, Mayor City of Lansing, Jeff Rupp, Public Works Director for the city of Lansing; John Matthews, Resident; Dan Butler, Resident; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Mark Loughry indicated Public Works asked to amend the agenda to bring forward a request for a grant application.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to amend the agenda for Public Works to present a grant application.***

***Motion passed, 2-0.***

David Lutgen presented a grant from KDHE for tire disposal.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve Public Works grant application with KDHE for tire disposal.***

***Motion passed, 2-0.***

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the February 2, 2017 meeting minutes.***

***Motion passed, 2-0.***

Jeff Culbertson presented the quarterly report for the GIS department indicating an MOU will be needed that will require each city to get new addresses to GIS as they are assigned so that 911 will always be current.

Chuck Magaha presented the quarterly report for Emergency Management asking the Board permission to present a letter of intent with Kansas with a mitigation grant that would seek remaining acquisitions of property in and along the flood way of Stranger Creek, Salt Creek and Missouri River. He also indicated the County's Emergency Operation Plan will be reviewed and changes made to update the needed areas of the plan.

Megan Waters presented the quarterly report for Adult Community Corrections indicating there is still potential of consolidation with Court Services and is working on setting up specialized courts for drug offenders and mental health.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess for 10 minutes.***

***Motion passed, 2-0.***

Tim Vandall, Lansing City Administrator, presented the Board with a proposal that would use the savings from the McIntyre Road project consisting of improvements to Desoto Road that connects to Eisenhower Road indicating the project would be economic development to Lansing and to the County.

Jeff Rupp, Public Works Director for the city of Lansing, presented proposed Desoto Road improvements from Ida Street to Eisenhower Road.

Mike Smith, mayor of the city of Lansing asked the board to consider this project.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to recess until 10:45 a.m.***

***Motion passed, 2-0.***

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber in order to preserve attorney/client privilege the Board moves to go into executive session to discuss contractual matters to resume at 11:15 a.m. in the office of the County Commissioners. Present are the two Commissioners, Roger Marris, Mark Loughry and Scott Ryburn.***

***Motion passed, 2-0.***

The Board returned to regular session at 11:15 a.m.; no action taken.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to return to executive session for attorney/client privilege and contractual matters. Present are the two Commissioners, Mark Loughry, Roger Marris and Scott Ryburn to return at 11:25 a.m.***

***Motion passed, 2-0.***

The Board returned to regular session at 11:25 a.m.; no action taken.

The Board adjourned at 11:26 a.m.

\*\*\*\*\*February 9, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Thursday, February 9, 2017. Commissioner Smith and Commissioner Graeber are present; Commissioner Holland is absent; 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; Roger Marrs, Deputy Director of Information Systems; David Lutgen, Public Works Director; Trevor Huhn, Buildings and Grounds; Lucas Schmalbeck, Director of Juvenile Services; Ken Miller, City of Lansing Public Information Officer; John Matthews, Resident; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the February 6, 2017 meeting minutes.***

***Motion passed, 2-0.***

Mark Loughry has collected the county wide policies and has formed the policy review committee and is scheduled to meet next week.

Mr. Loughry asked the Board for feedback regarding the agenda format.

Commissioner Smith suggested waiting for Commissioner Holland's input.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith for approval of the agenda for the week of February 13, 2017.***

***Motion passed, 2-0.***

Roger Marrs presented the quarterly report for Information Systems indicating the camera for live streaming is being tested with YouTube for broadcasting the BOCC meetings.

Commissioner Smith expressed concern if the video could be shut off if someone makes inappropriate comments for example during public comment.

Mollie Hill indicated she will work with Information Systems to address this concern.

Jeff Joseph presented the quarterly report for Planning and Zoning.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to discuss a current legal matter to return at 9:35 a.m. Present: The two Commissioners and Roger Marrs.***

***Motion passed, 2-0.***

The Board returned to open session at 9:35 a.m.; no official action taken.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith that a copy of all employment contracts authorized by the Board since January 2016 and any associated personnel actions be provided to Roger Marrs for possible review by outside counsel.***

***Motion passed, 2-0.***

Lucas Schmalbeck presented the quarterly report for Juvenile Services.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess until 10:30 a.m.***

***Motion passed, 2-0.***

David Lutgen requested authorization to solicit bids for road oil for the summer of 2017.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to authorize Public Works to solicit bids for road oil.***

***Motion passed, 2-0.***

Trevor Huhn requested authorization to award bids to J.F. Denney for replacement of jail rooftop units in the amount of \$87,828.00.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to award bid to J.F. Denney in the amount of \$87,828.00 for the replacement of jail rooftop units.***

***Motion passed, 2-0.***

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to have the chairman sign and date the OCB's and approve the bills for the month of January.***

***Motion passed, 2-0.***

The Board adjourned at 10:32 a.m.

\*\*\*\*\*February 13, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Monday, February 13, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland 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 of Public Works; Trevor Huhn, Building and Grounds; Tammy Saldivar, Solid Waste; Fran Keppler, Noxious Weeds; Ken Miller, Public Information Officer for Lansing; Chris Shove, Executive Director of the 27 Committee; Joe Herring, Herring Survey; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Dr. Chris Shove introduced himself as the new Executive Director of the 27 Committee.

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the February 9, 2017 meeting minutes.***

***Motion passed, 3-0.***

Commissioner Holland recommended appointment of Mark Linaweaver to the Leavenworth Port Authority Board.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to recommend appointment of Mark Linaweaver to the Leavenworth Port Authority.***

***Motion passed, 3-0.***

Fran Keppler presented the Annual Noxious Weed Eradication Progress Report and the Noxious Weed Management Plan.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the Annual Noxious Weed Eradication Progress Report and the Noxious Weed Management Plan.***

***Motion passed, 3-0.***

Trevor Huhn requested approval to replace two duct smoke detectors in the Justice Center rooftop air handlers in the amount of \$7,612.37.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the replacement of two duct smoke detectors in the Justice Center rooftop air handlers in the amount of \$7,612.37.***

***Motion passed, 3-0.***

Sarah Shafer updated the BOCC on the 147<sup>th</sup> Street sales tax project.

David Lutgen requested approval to issue a RFP for construction engineering services on the 147<sup>th</sup> St. project.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to approve issuance of RFP for construction engineering services on the 147<sup>th</sup> St. project.***

***Motion passed, 3-0.***

Ms. Shafer updated the BOCC on the McIntyre Road project.

Mr. Lutgen requested approval of BHC redesign change order for the McIntyre Road project in the amount of \$140,805.00.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the BHC redesign change order for the McIntyre Road project in the amount of \$140,805.00.***

***Motion passed, 3-0.***

Ms. Schafer updated the BOCC on the Eisenhower Road project.

Mr. Lutgen requested approval to issue an RFP for land acquisition services.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve an RFP for land acquisition services on the Eisenhower Road project.***

***Motion passed, 3-0.***

Tammy Saldivar requested the adoption of the 2017 Solid Waste Committee member changes to KDHE.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to adopt the 2017 Solid Waste Committee member changes.***

***Motion passed, 3-0.***

Ms. Saldivar presented a resolution for KDHE tire disposal.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-3, adopting a contract between the Kansas Department of Health and Environment and Leavenworth County for collection and disposal of waste tires to help prevent mosquito breeding and help stop the spread of mosquito borne diseases.***

***Motion passed, 3-0.***

Mr. Lutgen indicated Mt. Olivet Road on the east side will be open this week.

Mr. Lutgen indicated condemnation has been filed on 179<sup>th</sup> St.

Mr. Lutgen requested approval of awarding the contract for the replacement of county structure SH-15 to WCI in the amount of \$275,138.50.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the contract with WCI in the amount of \$275,138.50 for the replacement of SH-15.***

***Motion passed, 3-0.***

Mr. Lutgen requested approval of bid for the survey and design of 251<sup>st</sup> St south of K-16 to Herring/Schulte in the amount of \$30,925.00.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award the bid to Herring/Schulte in the amount of \$30,925.00 for the survey and design of 251<sup>st</sup> St.***

***Motion passed, 3-0.***

Mr. Lutgen requested approval to hire a project engineer position that would be funded from the sales tax.

Mark Loughry suggested tabling the matter until Thursday to meet with Human Resources and Mr. Lutgen.

*A motion was made by Commissioner Holland and seconded by Commissioner Smith to table the project engineer position until Thursday, February 16<sup>th</sup>.*

*Motion passed, 3-0.*

*A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess into executive session for 20 minutes under the privacy of non-elected personnel exception to the Kansas Open Meetings Act, the subject is non-elected personnel matters. The following persons are to be in attendance: The three Commissioners, Mark Loughry, Roger Marrs and Mollie Hill to return at 10:05 a.m.*

*Motion passed, 3-0.*

The Governing Body reconvened into regular meeting at 10:05 a.m.; no votes were taken or decisions made during executive session. This discussion was limited to the subject stated.

Commissioner Graeber suggested not taking any further action until Thursday.

*A motion was made by Commissioner Smith and seconded by Commissioner to recess into executive session for 15 minutes under the attorney client privilege exception to the Kansas Open Meetings Act, the subject is agreement negotiations. The following persons are to be in attendance: The three Commissioners, Mark Loughry, Mollie Hill and Andrea Hughes to return at 10:25 a.m.*

*Motion was passed, 3-0.*

The Governing Body reconvened into regular meeting at 10:25 a.m.; no votes were taken or decisions made during executive session. This discussion was limited to the subject stated.

*A motion was made by Commissioner Holland and seconded by Commissioner Graeber to have Mollie Hill proceed as discussed in executive session.*

*Motion passed, 3-0.*

The Board recessed for 10 minutes.

The Board returned at 10:45 a.m.

*A motion was made by Commissioner Graeber and seconded by Commissioner Smith to proceed with the retention of outside counsel and get final opinion of the validity of the contracts.*

Commissioner Holland indicated this should be done in open session without having to use taxpayer money.

*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.*

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

*Motion passed, 3-0.*



The Board adjourned at 10:50 a.m.

Final Approved

\*\*\*\*\*February 16, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Thursday, February 16, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland 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; Sara Shafer, Deputy Director of Public Works; Jamie Miller, Director of EMS; Ken Miller, City of Lansing Public Information Officer; Larry Malbrough, Information Systems Director; Jeff Joseph, Planning and Zoning Director; Joe Herring, Herring Survey; Louis Klemp, Resident; Duane Becker, John Bradford, Resident; Resident; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

John Bradford indicated he applied for an agricultural entrance to his property and was denied.

David Lutgen commented it was denied because the property is under 10 acres and already has two existing entrances.

***A motion was made by Commissioner Holland seconded by Commissioner Graeber to grant a variance with the stipulation that a home will not built.***

***Motion passed, 3-0.***

Mark Loughry recommended staff draft the variance and present it to the Board for approval next week.

Louis Klemp spoke about the answers he received for the questions he had presented.

Duane Becker indicated he applied for an entrance to his property so he does not have to share a driveway.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to have staff draft a variance for Mr. Becker's property.***

***Motion passed, 3-0.***

**ADMINISTRATIVE BUSINESS:**

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the February 13, 2017 meeting minutes.***

***Motion passed, 3-0.***

Andrea Hughes requested authority to initiate tax foreclosure procedures.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to direct Andrea Hughes, Deputy County Counselor, to initiate tax foreclosure procedures upon the properties subject to delinquent property tax liens.***

***Motion passed, 3-0.***

Mark Loughry reported a department head/elected official meeting was held and a policy review committee meeting on February 15.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith for approval of the agenda for the week of February 20, 2017.***

***Motion passed, 3-0.***

Jamie Miller requested authorization for the EMS department to switch from self-hosting Image Trend Software to having Image Trend Elite host the software in the amount of \$5,500.00.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to authorize the switch from self-hosting Image Trend Software to having Image Trend Elite host the software in the amount of \$5,500.00 for EMS.***

***Motion passed, 3-0.***

Case Number DEV-16-122/123 Preliminary and Final Plat for Edholm Acres is tabled until Thursday, February 23, 2017.

David Lutgen requested to fill a vacant position for a project engineer with the retirement of John Forslund.

Mr. Loughry inquired if the Board is in favor of filling the position and that there is more discussion needed before a decision is made.

The matter was tabled until details are worked out.

A work session was held to discuss the Access Management Policy and Resolution 2017-1.

Mr. Loughry suggested taking this to the Planning and Zoning Commission to review for proposed guidelines and involve the cities in the discussion.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess into executive session for 15 minutes under the attorney/client privilege exception to the Kansas Open Meetings Act. The subject will be sales tax project agreements. The following persons to be in attendance are: The three Commissioners, Mark Loughry, Mollie Hill, Andrea Hughes and David Van Parys. To begin at 10:35 a.m. and return at 10:50 a.m.***

***Motion passed, 3-0.***

The Governing Body reconvened into regular session at 10:50 a.m. no votes were taken or decisions made during the executive session. The discussion was limited to the subject stated.

***A motion was made by Commissioner Holland and Commissioner Graeber to direct staff to proceed as discussed.***

***Motion passed, 3-0.***

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

***Motion passed, 3-0.***

The Board adjourned at 10:54 a.m.

\*\*\*\*\*February 20, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Monday, February 20, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland 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; Janice Van Parys, Leavenworth County Treasurer; Roger Marrs, Deputy Director of Information Systems; Tamara Copeland, Human Resources Director; Tony Baker, Chairman of Leavenworth Carousel Museum Steering Committee; Joanne Aaron, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the February 16, 2017 meeting minutes.***

***Motion passed, 3-0.***

Mark Loughry clarified if the Board wants to meet with all departments together for a quarterly report and will schedule that.

David Lutgen requested approval to solicit for bids for the replacement of county bridge A-32 using funds from the recently expired sales tax that have been earmarked for the replacement of this structure.

***A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve solicitation for bids for the replacement of county bridge A-32.***

***Motion passed, 3-0.***

Commissioner Smith suggested dust control discussion should be added to the agenda at Mr. Lutgen's discretion.

Mollie Hill requested approval of a fence viewing procedure policy and a request form in order to streamline the County's response to the requests.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the internal Leavenworth County fence viewing procedure policy and request form.***

***Motion passed, 3-0.***

Tony Baker requested funding in the amount of \$3,800.00 to assist with the purchase of a canopy on the front of the Carousel Museum.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding for the C.W. Parker Carousel Museum in the amount of \$3,800.00.***

***Motion passed, 3-0.***

Janice Van Parys submitted an exception to the leave policy for an employee to carry over annual leave.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve exception to the leave policy to be taken within one week from the expiration date.***

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

Roger Marrs reported to the Board he has not received documents from Human Resources to move forward on a legal matter.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess to executive session for 10 minutes under the protection of attorney/client privileges. Present: the three Commissioners and Roger Marrs to return at 10:10 a.m.***

***Motion passed, 3-0.***

The Governing Body returned from executive session at 10:10 a.m.; no votes were taken or decisions made during executive session. The discussion was limited to the subject stated.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to move that the Human Resources Director immediately surrender to the County Clerk the originals of all employment contracts approved and signed by the Board of County Commissioners since January 2016.***

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

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

***Motion passed, 3-0.***

The Board adjourned at 10:30 a.m.

\*\*\*\*\*February 23, 2017\*\*\*\*\*

The Board of County Commissioners met in regular session on Thursday, February 23, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland 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; Janet Klasinski, County Clerk; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Senior Planner; Michael Swan, Planner; Tamara Copeland, Human Resources Director; Vernon Fields, Basehor City Council; Joe Herring, Herring Survey; John Richmeier, Leavenworth Times

Residents: Louis Klemp, Dean Oroke, Julie Downs, John Matthews, John Bradford, Mark Breuer, Jerry Moore, Lynn Looney, Stan and Denise Woods

PUBLIC COMMENT:

Lynn Looney, a trustee with Kickapoo Township Fire, presented an estimate to fix an electrical switch gear that comes off the County's generator under a maintenance contract.

Janet Klasinski indicated funding is available from the sales tax communication line item.

*A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding for Kickapoo Township Fire to fix an electrical switch gear that is under the County's maintenance contract.*

*Motion passed, 3-0.*

Julie Downs followed up on a property where alleged illegal activity is occurring.

Louis Klemp spoke about various subjects.

Jerry Moore informed the Board about a map in the GIS department that needs to be classified.

ADMINISTRATIVE BUSINESS:

Janet Klasinski recommended appointment of Terry Bartowski as the Delaware Township Treasurer.

*A motion was made by Commissioner Graeber and seconded by Commissioner Holland to appoint Terry Bartowski as the Delaware Township Treasurer.*

*Motion passed, 3-0.*

David Lutgen requested approval to award contract for construction engineering services on the SH-15 project to Pfefferkorn Engineering and Environmental LLC in the amount of \$18,960.00.

*A motion was made by Commissioner Graeber and seconded by Commissioner Smith to award contract to Pfefferkorn Engineering for construction engineering services on SH-15 in the amount of \$18,960.00.*

*Motion passed, 3-0.*

Andrea Hughes requested approval of two variance resolutions.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-4, issuing a variance for an entrance that does not meet spacing requirements on Parcel 153080000002000.***

***Motion passed, 3-0.***

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to approve Resolution 2017-5, issuing a variance for a third entrance for agricultural use on a parcel of ground less than ten acres in size at 29532 207<sup>th</sup> St.***

***Motion passed, 3-0.***

Commissioner Holland addressed an email that requested a public apology for statements made at a previous meeting.

***A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the February 20, 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 February 27, 2017.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-17-007 a temporary special use permit for Westar Energy for a laydown yard located at 32759 Easton Road.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve Case Number DEV-17-007, a temporary special use permit for Westar Energy, subject to all conditions.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-17-001/002, preliminary and final plat for Crossing Deer Estates, a 4 lot subdivision located at the corner of 174<sup>th</sup> and Evans Road. Public Works indicated entrances off Evans Road will not be approved.

Mark Breuer requested the approval with the stipulation that the developer does not have to improve the road.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to table Case Number DEV-17-001/002 for one week.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-16-118, a renewal of a special use permit for Free State Vineyards.

The applicant asked if the permit could run concurrent with the winery license.

***A motion was made by Commissioner Smith and seconded by Commissioner Graeber to open public hearing.***

***Motion passed, 3-0.***

No one spoke in favor or opposition.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve Case Number DEV-16-118, a special use permit for Free State Vineyards to include a 10 year permit.***

***Motion passed, 3-0.***

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-6, issuing a special use permit for an agriculturally-related business, subject to all conditions.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-16-125, a special use permit for an event center – Hidden Valley Retreat.

Commissioner Smith opened session for public hearing.

Stan Wood, the applicant spoke in favor.

No one spoke in opposition.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-16-125.***

***Motion passed, 3-0.***

***A motion was made by Commissioner Holland and Commissioner Graeber to approve Resolution 2017-7, issuing a special use permit for a convention/conference center, Hidden Valley Retreat, subject to all conditions.***

***Motion passed, 3-0.***

Planning and Zoning indicated Case Number DEV-16-122/123 Edholm Acres has been withdrawn.

Joe Herring suggesting to table the case indefinitely because the applicants will be bringing it back.

***A motion was made by Commissioner Holland seconded by Commissioner Graeber to table Case Number DEV-16-122/123 indefinitely.***

***Motion passed, 3-0.***

The Board recessed for 5 minutes.

Tamara Copeland presented the quarterly report for Human Resources.

John Bradford presented a proposal for the Patriot Highway and requested support from the Board by signing an MOU.

Mark Loughry reported language changes have been proposed to the MOU and is being reviewed by Mr. Bradford's team indicating he will report back to the Board.

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

***Motion passed, 3-0.***



The Board adjourned at 11:29 a.m.

Final Approved

\*\*\*\*\*February 27, 2017 \*\*\*\*\*

The Board of County Commissioners met in regular session on Monday, February 27, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present: Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Bob Weber, County Appraiser; Mark Buchanan, Deputy Appraiser; Jeff Culbertson, GIS Director; Stacy Driscoll, Register of Deeds; Paul Kramer, Leavenworth City Administrator; Dave Breuer, Mayor of Basehor; Ken Miller, Lansing Public Information Officer; Mark Preisinger, Leavenworth City Commissioner; Bill New, Chairman of the LCPA; Blaine Weeks, LCPA; Greg Kaaz, Lexeco; Lloyd Martley, Basehor City Administrator; Joe Herring, Herring Survey; John Matthews, Resident; Dean Oroke, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

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

***Motion passed, 3-0.***

Jeff Culbertson updated the Board on a map located in the GIS department indicating the public can only request what the utility company specifically allows.

Bob Weber presented the quarterly report for the Appraiser's Office.

Stacy Driscoll requested approval from the I.S. Department for the purchase of a workstation for the County Surveyor to be paid out of the BOCC Equipment reserve fund.

***A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of a workstation for the county surveyor with funds from the BOCC equipment reserve fund.***

***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 and approve the bills for the month of February.***

***Motion passed, 3-0.***

David Van Parys updated the Board on the Leavenworth and Tonganoxie Industrial Parks indicating the Attorney General's office is objecting to the bidding process that occurred on the Leavenworth Industrial Park and the agreement has been pulled for their decision.

Mr. Van Parys reported there is one parcel under appeal on the 147<sup>th</sup> Street sales tax project with regards to the appraisal of the property.

***A motion was made by Commissioner Graeber and seconded by Commissioner Holland to direct staff to enter direct negotiations with Falcon Lakes***

***Motion passed, 3-0.***

Paul Kramer presented a proposal that indicates the city of Leavenworth will prepare a request for proposals bid document and will advertise the project for 30 days along with awarding and managing the contract related to the creation of the park. The Leavenworth County Port Authority will be responsible for operating and managing the property upon completion.

Mark Loughry reported a work session will be scheduled for Monday to discuss the proposal.

Andrea Hughes requested approval of the initiation of a quiet title on Gilman Acre in accordance with the sale of the 4-H property.

***A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the initiation of a quiet title on Gilman Acre.***

***Motion passed, 3-0.***

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

***Motion passed, 3-0.***

The Board adjourned at 10:26 a.m.

Final Approved