

*****April 3, 2017*****

The Board of County Commissioners met in regular session on Monday, April 3, 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; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Senior Planner; Janet Klasinski, County Clerk; Janice Van Parys, County Treasurer; Shari Thompson, Treasurer; Megan Waters, Community Corrections Director; Linda Lobb, Council on Aging Director; Stacy Driscoll, Register of Deeds; Jennifer Anderson, Payroll Manager; Bob Weber, County Appraiser; Jeff Culbertson, GIS Director; Lucas Schmalbeck, Juvenile Corrections Director; Andy Dedeke, Leavenworth County Sheriff; Larry Malbrough, Information Systems Director; David Lutgen, Public Works Director; Joe Herring, Herring Survey; John Matthews, 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 March 30, 2017 meeting minutes.

Motion passed, 3-0.

Janet Klasinski requested to transfer funds in the amount of \$86,340.34 to the city of Leavenworth for newly formed City/County Probation office.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to transfer funds to the city of Leavenworth in the amount of \$86,340.34.

Motion passed, 3-0.

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

Motion passed, 3-0.

Janice Van Parys introduced employee Shari Thompson as the Employee of the Month.

Krystal Davis briefed the Board on the Dehoff property indicating as it is presented it is not conforming to the zoning regulations.

Joe Herring indicated he will work with Planning and Zoning to come up with a different option.

The Board conducted a quarterly department head meeting.

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

Motion passed, 3-0.

The Board adjourned at 9:48 a.m.

*****April 6, 2017*****

The Board of County Commissioners met in regular session on Thursday, April 6, 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, Public Works Deputy Director; David Van Parys, Consultant; Mike Smith, Mayor of Lansing; Ken Miller, City of Lansing Public Information Officer; Paul Kramer, Leavenworth City Administrator; Joe Herring, Herring Survey; Greg Kaaz, Lexeco; David Wagner, Resident; Jerry Frantz, Resident; John Matthews, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Mike Smith, Mayor of Lansing, spoke about McIntyre Road.

Louis Klemp made public comment.

ADMINISTRATIVE BUSINESS:

Commissioner Smith requested a report on the history of the Board of Zoning Appeals.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 3, 2017 meeting minutes.

Motion passed, 3-0.

Mark Loughry reported a policy review meeting was held this week indicating progress is continuing.

Mollie Hill indicated she will provide Commissioner Graeber case law regarding live streaming of the BOCC meetings and will brief the Board on Monday.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of April 10, 2017.

Motion passed, 3-0.

David Van Parys presented a water line agreement with Rural Water District #1 in regards to the 147th Street project.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the agreement with Rural Water District #1 and have the chairman sign and date the same.

Motion passed, 3-0.

Mr. Van Parys presented a contract with the city of Leavenworth for the Leavenworth Industrial Park.

Paul Kramer indicated the city will review the contract for approval on Tuesday evening.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the contract with the city of Leavenworth for the Leavenworth Industrial Park.

Motion passed, 3-0.

Mr. Van Parys updated the Board on the sales tax projects to include the Leavenworth and Tonganoxie Industrial Parks, 147th Street, McIntyre Road and Eisenhower Road.

Mr. Van Parys requested an executive session to discuss pending litigation.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to recess into executive session for 10 minutes under exception to the Kansas Open Meetings Act. The subject would be real property acquisition and the following persons in attendance would be: the three Commissioners, Mollie Hill and David Van Parys. The start time would be 9:50 a.m. and return to reconvene in the room at 10:00 a.m.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to rescind the previous motion.

Motion passed, 3-0.

A motion was made by Commissioner Smith seconded by Commissioner Holland to recess into executive session for 10 minutes under exception to the Kansas Open Meetings Act attorney/client privileges. The following persons in attendance are: the three Commissioners, Mollie Hill and David Van Parys. The start time will be 9:50 a.m. and reconvene in this room at 10:00 a.m.

Motion passed, 3-0.

The Governing Body reconvened into regular meeting at 10:00 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 Smith and seconded by Commissioner Holland to allow legal counsel to continue negotiations to resolve the pending litigation.

Motion passed, 3-0.

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

Motion passed, 3-0.

The Board adjourned at 10:01 a.m.

*****April 10, 2017*****

The Board of County Commissioners met in regular session on Monday, April 10, 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 King, Chief Judge of Leavenworth County; David Lutgen, Public Works Director; Trevor Huhn, Buildings and Ground; Ken Miller, City of Lansing; Joe Herring, Herring Survey; John Matthews, Resident; Jane Gilbert, 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 April 6, 2017 meeting minutes.

Motion passed, 3-0.

Commissioner Graeber will attend the 100th Anniversary Veteran's Day Observance meeting on April 12th.

Mollie Hill reported she compiled case law on the livestreaming and will discuss on Thursday's meeting.

Commissioner Holland reported the American Legion is requesting funding in the amount of \$5,125.61 for the baseball program from the parks and recreation fund.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding to the American Legion Post in the amount of \$5,125.61 from the parks and recreation fund.

Motion passed, 3-0.

Commissioner Smith received a request from the Tonganoxie Township Fire Department for dust control in front of the fire station.

Mark Loughry suggested that Public Works come back to the Board with an estimate for the dust control.

Sheriff Dedeke requested funding to allow project design and renovation to existing non-contact jail visitation area and jail lobby not to exceed \$200,000.00.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding not to exceed \$200,000.00 for the design and renovation of the jail visitation area.

Motion passed, 3-0.

David Lutgen requested to award the contract for the survey and design of the 182nd St extension to McAfree Henderson Solutions in the amount of \$43,635.00.

A motion was made by Commissioner Graeber seconded by Commissioner Holland to award bid to McAfree Henderson Solutions for survey and design of the 182nd St extension.

Motion passed, 3-0.

Mr. Lutgen requested to award bid for the construction of bridge A-32 to King Construction Company in the amount of \$699,983.11.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award bid to King Construction Company for the construction of bridge A-32.

Motion passed, 3-0.

Mr. Lutgen requested to award bid for lawn mowing services to Cutting Edge Lawn Professionals in the amount of \$530.00 per week.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award bid to Cutting Edge Lawn Professionals for lawn mowing services.

Motion passed, 3-0.

Mr. Lutgen requested to award the proposal for professional services on the Eisenhower appraisal and site acquisition to Valbridge in the amount of \$51,250.00.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award the proposal to Valbridge for professional services on the Eisenhower Road project.

Motion passed, 3-0.

Mr. Lutgen indicated Westar Energy is requesting an additional 10 foot easement to relocate their facilities for a bridge replacement on 2nd Street.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve additional easement to Westar Energy.

Motion passed, 3-0.

Mr. Lutgen indicated Scotwood is estimating \$7,000.00 per mile for the chemical used in dust control which does not include the work Public Works does to prep the site. He suggested temporarily suspending the dust control until a revised PRP policy is presented.

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

Motion passed, 3-0.

The Board adjourned at 9:32 a.m.

*****April 13, 2017*****

The Board of County Commissioners met in regular session on Thursday, April 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; Jeff Joseph, Planning and Zoning Director; Larry Malbrough, Information Systems Director; David Van Parys, Consultant; Ken Miller, City of Lansing; Roger Marrs; Steve Rosenthal, Planning and Zoning Board; John Matthews, Resident; Joe Herring, Herring Survey; Louis Klemp, Resident;

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Graeber requested a letter be written to the Leavenworth City Commission thanking them for their support in regards to the Eisenhower Industrial Park.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to write a letter to the Leavenworth City Commission for the support on the Industrial Park.

Motion passed, 3-0.

Commissioner Graeber reported the annual benefit for Council on Aging had a tremendous turnout.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 10, 2017 meeting minutes.

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.

Mollie Hill reported the deadline for the response to the Attorney General's office is tomorrow indicating she has not received any additions or changes from the Board.

Commissioner Graeber indicated he will not sign the response.

Commissioner Smith commented he did not agree with the responses.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to have the Attorney General's office to interview staff.

Motion passed, 2-0, Commissioner Holland did not vote.

Andrea Hughes indicated we cannot direct the Attorney General's office.

Ms. Hill indicated she will ask for an extension for the response.

Ms. Hill updated the BOCC on the livestreaming of the BOCC meetings recommending a 12 hour delay to review for any liability posed to the County.

The livestreaming was tabled until the Board reviews the memo prepared by Ms. Hill.

David Van Parys reported a settlement agreement has been reached with Falcon Lakes.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the settlement agreement and have the chairman sign and date the same.

Motion passed, 3-0.

David Lutgen briefed the Board about dust control on Haigwood Road for the Tonganoxie Township Fire Department and suggested doing a chip seal dust patch since it is a continued request each year.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve chip seal dust patch on Haigwood Road in front of the Tonganoxie Township Fire Department.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of April 17, 2017.

Motion passed, 3-0.

Jeff Joseph presented Case Number DEV-17-036, a request to extend the County Road 1 moratorium until April 30, 2018.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the extension of the County Road 1 moratorium until April 30, 2018.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-19, a resolution authorizing a moratorium on changes in the land use, zoning and subdivision development within a designated corridor around County Road 1 in Leavenworth County.

Motion passed, 3-0.

Mr. Joseph briefed the Board on the history of the Board of Zoning Appeals.

Steven Rosenthal spoke about the knowledge of the Planning Commission serving as the BZA committee.

Larry Malbrough requested authorization to purchase laptops for the Sheriff's Office and a server for the County Attorney's Office using IT depreciation.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of a server for the County Attorney's Office.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of laptops for the Sheriff's Department.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to go into executive session to protect attorney/client privileges, the Board would go into executive session to discuss legal matters concerning employment contracts. Present would be the three Commissioners,

Roger Marrs, by phone Scott Ryburn. The Board will go into executive session at 10:00 a.m. and return to regular session at 10:15 a.m. in this room

Motion passed, 3-0.

The Board left executive session at 10:15 a.m. and returned to regular session at 10:15 a.m. No decisions were made.

A motion was made Commissioner Graeber and seconded by Commissioner Smith direct outside counsel to proceed as discussed in executive session.

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

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to enter executive session to discuss attorney/client privilege at 10:20 a.m. and return to regular session at 10:30 a.m. Present would be the three Commissioners, Mollie Hill, Andrea Hughes and Mark Loughry.

Motion passed, 3-0.

The Board left executive session at 10:30 a.m. and entered into regular session again. No action was taken or decisions made.

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

Motion passed, 3-0.

The Board adjourned at 10:31 a.m.

*****April 17, 2017*****

The Board of County Commissioners met in regular session on Monday, April 17, 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; Megan Waters, Community Corrections Director; Paul Kramer, Leavenworth City Administrator; George Brajkovic, Tonganoxie City Administrator; Steve Jack, LCDC; Ken Miller; City of Lansing; Joe Herring, Herring Survey; AnaMarie Judd and Luke Wagner, Lansing High School students; Greg Kaaz, Lexeco; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

AnaMarie Judd and Luke Wagner, students from Lansing High School, requested funding for a trip to a national competition for DECA.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding for DECA in the amount of \$2,500.00.

Motion passed, 3-0.

ADMINISTRATIVE BUSINESS:

David Van Parys presented a draft contract with the city of Tonganoxie for the Tonganoxie Industrial Park.

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

Motion passed, 3-0.

Megan Waters requested reappointment of two adult advisory board members for two year terms.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to reappoint Karen Curto and Mary Gilkey to the Adult Advisory Board.

Motion passed, 3-0.

David Lutgen requested approval to purchase two dump trucks instead of purchasing a used scraper.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of two dump trucks.

Motion passed, 3-0.

Mark Loughry requested the RFP from the city of Leavenworth be moved to Thursday's agenda to give Public Works a chance to review.

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

Motion passed, 3-0.

The Board adjourned at 9:20 a.m.

*****April 20, 2017*****

The Board of County Commissioners met in regular session on Thursday, April 20, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, Financial Administrator; Mollie Hill, County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Stephanie Sloop, Planning Coordinator; Michael Swan, Assistant Planner; David Van Parys, Consultant; Tamara Copeland, Human Resources Director; Paul Kramer, Leavenworth City Administrator; Mike McDonald, Leavenworth City Public Works Director; Ken Smith, City of Lansing; Joe Herring, Herring Survey; Greg Kaaz, Lexeco; Roger Marrs; Summer McCowen and Dyun Jung, Leavenworth High School students; Dean Oroke, Resident; John Matthews, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Joe Herring requested Edholm Estates to be placed on the agenda for next week.

Louis Klemp made public comment.

Summer McCowen and Dyun Jung from Leavenworth High School requested funding for a trip to a national competition for DECA.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve funding for DECA in the amount of \$2,500.00 under the special alcohol fund.

Motion passed, 2-1 Commissioner Smith voting nay.

ADMINISTRATIVE BUSINESS:

Discussion was held regarding the RFP for the Leavenworth Industrial Park.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the RFP as forwarded by the city of Leavenworth for the Leavenworth Industrial Park.

Motion passed, 2-1 Commissioner Holland voting nay.

David Van Parys reported the Attorney General's Office approved the resolution for use of the 2015 bond series proceeds for the development of the Tonganoxie Industrial Park.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the April 17, 2017 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of April 24, 2017 with an addition of Edholm Estates.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-17-037, a temporary special use permit for Remembering Alyssa which is ATV charity ride and is requesting the application fee be waived.

Commissioner Smith opened up the public hearing.

Amy Hutchens spoke in favor of the event.

No one spoke in opposition.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-17-037, a temporary special use permit for Remembering Alyssa and waiver of the application fee.

Motion passed, 3-0.

Stephanie Sloop requested authorization to host the Annual Fishing Derby to be held at Happy Hollow Lake on June 24th with a rain makeup date of July 1st.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the 2017 Annual Fishing Derby.

Motion passed, 3-0.

Tamara Copeland requested approval of the KERIT Governance Documents & Trust Agreement.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the KERIT Governance Agreement and have the chairman sign and date the same.

Motion passed, 3-0.

A motion was made by Commissioner Smith seconded by Commissioner Graeber to preserve attorney/client privilege the Board go into executive session to discuss employment contract matters. Present would be the three Commissioners, contract counsel Roger Marrs and outside counsel Scott Ryburn by phone. To begin at 9:40 a.m. and return at 10:00 a.m.

Motion passed, 3-0.

The Governing Body returned from executive session at 10:00 a.m. and no entering into regular session, no decisions were made.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to authorize Mr. Ryburn to proceed with contract negotiations and delivery of proposed contracts to the County Counselor, Deputy County Counselor and Human Resources Director.

Motion passed, 2-1 Commissioner Holland voting nay.

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

Motion passed, 3-0.

The Board adjourned at 10:03 a.m.

*****April 24, 2017*****

The Board of County Commissioners met in regular session on Monday, April 24, 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; Jeff Joseph, Planning and Zoning Director; Michael Swan, Assistant Planner; David Van Parys, Consultant; George Brajkovic, Tonganoxie City Administrator; Steve Jack, LCDC; Bill New, LCPA; Dan Lynch, Realtor; John Matthews, Resident; Joe Herring, Herring Survey; Dan Edholm, Resident; Louis Klemp, Resident; William Hoeltzel, 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 April 20, 2017 meeting minutes.

Motion passed, 3-0.

David Van Parys briefed the Board on the finalization of a contract with the city of Tonganoxie in regards to the Tonganoxie Industrial Park indicating there are a few issues that need to be resolved.

David Lutgen briefed the Board on proposed revisions to the PRP program to include low volume local roads only.

Mark Loughry indicated a draft Resolution for the PRP program will be presented to the Board on May 1st.

Commissioner Smith asked about funding for a third engineer.

Mr. Loughry will verify information needed for an engineer position.

Joe Herring briefed the Board on Edholm Estates indicating this was a two lot subdivision but during the review process by Public Works the driveway was deemed to be in an unsafe location.

Mr. Lutgen indicated he recommended a shared driveway for the second lot with work to improve sight distance.

Mr. Herring indicated he will work with Public Works to move the driveway.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to preserve attorney/client privilege the Board go into executive session to review the bill for legal service from Anderson & Byrd for services performed from March 15 to April 6. Present would be the three Commissioners and Roger Marrs. To begin at 10:00 a.m. and return at 10:05 a.m.

Motion passed, 3-0.

The Board returned at 10:05 a.m. no decisions were made or directions given.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the billing from Anderson & Byrd in the amount of \$285.25 for services from March 15 to April 6.

Motion passed, 2-0. Commissioner Holland did not vote.

Commissioner Smith will be attending the KCCA conference May 31 to June 2, 2017 in Junction City, Kansas.

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

Motion passed, 3-0.

The Board adjourned at 10:08 a.m.

Final Approved

*****April 27, 2017*****

The Board of County Commissioners met in regular session on Thursday, April 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; Jeff Joseph, Planning and Zoning Director; Krystal Davis, Michael Swan, Assistant Planner; David Lutgen, Public Works Director; Janet Klasinski, County Clerk; Janice Van Parys, County Treasurer; Larry Malbrough, Information Systems Director; David Van Parys, Consultant; Joe Herring, Herring Survey; Steve Jack, LCDC; Blaine Weeks, LCDC; Bill New, LCPA; George Brajkovic, Tonganoxie City Administrator; Jason Ward, Mayor of Tonganoxie; Ken Miller; City of Lansing; Mark Breuer, Schlagel and Associates; Karl and Kerry Bardroff, Residents; Dean Oroke, Resident; John Matthews, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Andrea Hughes requested approval of an email retention policy in accordance with the Kansas State Records Board.

An executive session will be added to Monday's agenda to discuss the policy.

Commissioner Holland reported he has sent his response to the Attorney General's office regarding a complaint filed against the Board.

Janet Klasinski requested to transfer \$27,000.00 from the Special Building/Building and Grounds fund to the Equipment Reserve Special Building and to transfer \$4,000.00 from the Appraiser's fund to the Equipment Reserve Fund.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve Board Orders 2017-2 and 2017-3 to transfer funds.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the April 24, 2017 meeting minutes.

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.

Janice Van Parys requested an executive session for non-elected personnel on Monday.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith for approval of the agenda for the week of May 1, 2017 with addition of two executive sessions to be added Monday.

Motion passed, 3-0.

David Van Parys presented two draft contract proposals with the city of Tonganoxie in regards to the Tonganoxie Industrial Park. He indicated draft I notes a lump sum to the city of Tonganoxie and draft II notes incremental payments to the city of Tonganoxie.

Jason Ward and George Brajkovic commented on the contracts.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve the draft I contract and amend section 5 striking the phrase “and no further funding by the County shall be required.”

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to direct the County Clerk and County Treasurer to make early investment as necessary to fund the funding to the Tonganoxie Industrial Park as previously approved by the Board.

Motion passed, 3-0.

Mark Loughry requested the Board to approve replacement of the copier in the BOCC office.

It was the consensus of the Board that Mark Loughry, Financial Administrator has authority over the Commission’s budget.

Planning and Zoning presented Case Number DEV-17-001/002, a review of a preliminary and final plat request for a three lot subdivision, Crossing Deer Estates.

Mark Breuer indicated he agrees with the planning and zoning commission’s recommendations with no additional conditions.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-17-001/002 with the condition that if lot 1 splits in the future that all frontage of lot 1 currently would be improved, subject to all other conditions.

Motion passed, 3-0.

The Board recessed for 5 minutes at 10:29 a.m.

The Board returned to regular session at 10:35 a.m.

Planning and Zoning presented Case Number DEV-17-023 a replat of lots 6A and 7A of DeHoff replat.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve Case Number DEV-17-023, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-17-024/025, a review of a preliminary and final plat for a three lot subdivision for Marcus Place.

Joe Herring requested to waive the Phase One environmental study and the shared driveway entrances.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-17-024/025 with the condition Phase One environmental study to lot one only, subject to all other conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-17-026/027 a preliminary and final plat for Remington Ridge Estates.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-17-026/027 without the fire hydrant condition, subject to all other conditions.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-17-012, consideration of a special use permit for Bardroff Heavy Hauling, LLC.

Karl Bardroff spoke in favor of the permit and requested a 10 year permit.

Commissioner Smith opened public hearing.

No one spoke in opposition.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve Case Number DEV-17-012, a special use permit for Bardroff Heavy Hauling, LLC for 10 years subject to all other conditions.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Smith approve resolution 2017-22, issuing a special use permit for a truck hauling business.

Motion passed, 3-0.

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

Motion passed, 3-0.

The Board adjourned at 11:00 a.m.