

*****June 5, 2017*****

The Board of County Commissioners met in regular session on Monday, June 5, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Karen Lynn, Berberich and Trahan; Jeff Joseph, Planning and Zoning Director; Michael Swan, Assistant Planner; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Mitch and Arlene Mitchener, Residents; Jane Gilbert, Resident; Gary Starcher, Resident; David Frese, Resident; John Richmeier, Leavenworth Times

ADMINISTRATIVE BUSINESS:

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 Holland and seconded by Commissioner Graeber to approve the May 30, 2017 Session I meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the May 30, 2017 Session II meeting minutes.

Motion passed, 3-0.

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

Motion passed, 3-0.

Karen Lynn from Berberich and Trahan presented the results of the 2016 audit to the Board.

PUBLIC COMMENT:

Gary Starcher made comment about dust control on 182nd St.

Jane Gilbert made public comment.

Joe Herring made public comment.

ADMINISTRATIVE BUSINESS:

Planning and Zoning presented Case Number DEV-17-066, consideration of a temporary special use permit for the 30th Tonganoxie Library Run.

Commissioner Smith opened public hearing.

David Frese spoke in favor.

No one spoke in opposition.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve Case Number DEV-17-066, with waiver of the 30 days and the application fee, subject to all conditions.

Motion passed, 3-0.

Jeff Joseph presented a resolution that would waive variance fees under certain circumstances that will aid residents in getting properties compliant.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-34, waiving variance fees in certain circumstances.

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 9:45 a.m.

Final Approved

*****June 8, 2017 *****

The Board of County Commissioners met in regular session on Thursday, June 8, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Public Works Director; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Roger Marrs, Information Systems Deputy Director; Scott Ryburn, Attorney at Law; Gary Starcher, Resident; Jane Gilbert, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Gary Starcher made public comment.

ADMINISTRATIVE BUSINESS:

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

Motion passed, 3-0.

Mollie Hill requested approval of a resolution granting a policy exception for a driveway entrance that was previously approved by the Board.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-35, issuing a policy exception for a driveway entrance for agricultural use.

Motion passed, 3-0.

Commissioner Holland addressed a rumor that he contacted Channel 41 news about the industrial parks indicating he did not contact them.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of June 12, 2017.

Motion passed, 3-0.

David Lutgen briefed the Board on estimates for dust control.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to approve dust control for McIntyre Road (163rd to 170th), 178th St. (Evans Rd to Kansas Ave), 150th St. (K-32 to Stillwell) and 182nd St. (24-40 to Evans Rd).

Commissioner Holland proposed an amended motion to omit 182nd Street for dust control due to the KTA bridge replacement causing the issue.

The amended motion died for lack of second.

Motion passed, 2-1 Commissioner Holland voting nay.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to protect the attorney/client privilege the Board go into executive session to discuss legal matters relating to employment contracts. Present would be the three Commissioners, Roger Marrs and Scott Ryburn to begin at 9:35 and return to regular session at 10:05 a.m.

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

The Board returned to regular session at 10:05 a.m. no decisions were made and the discussion was limited to employee contracts.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to proceed to negotiate on the employment contracts.

Motion passed, 2-1 Commissioner Holland voting nay.

Mark Loughry requested two weeks to present a final format of the code of conduct policies.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to renew the suspension of the Whistleblower policy for 30 days.

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 10:09 a.m.

Final Approved

*****June 12, 2017*****

The Board of County Commissioners met in regular session on Monday, June 12, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Becky Matzeder, Executive Secretary; Larry Malbrough, Information Systems Director; David Lutgen, Public Works Director; Ken Miller, City of Lansing; Joe Herring, Herring Survey; 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 June 8, 2017 meeting minutes.

Motion passed, 3-0.

Mark Loughry addressed the lease agreement on the Council on Aging building.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to move forward with a contract on the lease agreement.

Motion passed, 3-0.

Larry Malbrough requested the authorization to purchase tablets for EMS.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the purchase of tablets for EMS.

Motion passed, 3-0.

David Lutgen requested approval to accept the newly constructed roads in Primrose Hill Estates subdivision into the County's inventory of roadways.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to accept the roads in Primrose Hill Estates subdivision.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-36.

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 9:13 a.m.

*****June 15, 2017 *****

The Board of County Commissioners met in regular session on Thursday, June 15, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County 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; Janice Van Parys, County Treasurer; Jennifer Schermbeck, Deputy Treasurer; Janet Klasinski, County Clerk; Ken Miller, City of Lansing, Joe Herring, Herring Survey; John Matthews, Resident; Louis Klemp, Resident; David Hoffman, Attorney at Law; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp made public comment.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the June 12, 2017 meeting minutes.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to amend the agenda to reflect an executive session at the end of the meeting.

Motion passed, 3-0.

Commissioner Holland requested detailed billing from Anderson & Byrd.

Commissioner Smith inquired about 182nd Street and 179th Street.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of June 19, 2017.

Motion passed, 3-0.

Andrea Hughes asked for clarification for her role now that a petition has been filed against her and the other contract employees and waived her non-elected personnel status to speak to her about it.

A motion was made by Commissioner Smith seconded by Commissioner Graeber recess in to executive session to discuss non-elected personnel to discuss possible personnel action involving two county employees. The meeting will take place at 9:25 a.m. and reconvene in this room at 9:35 a.m. Present would be three Commissioners and Mark Loughry.

Motion passed, 3-0.

The Governing Body reconvened into regular meeting at 9:35 a.m., no votes were taken or decisions made during executive session and the discussion was limited to the subject stated.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to waive the conflict.

Motion passed, 2-1 Commissioner Smith voting nay.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to adjourn to conduct a budget work session.

Motion passed, 3-0.

The Board adjourned at 9:37 a.m.

A work session was held discussing the 2018 budget.

Final Approved

*****June 19, 2017*****

The Board of County Commissioners met in regular session on Monday, June 19, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Becky Matzeder, Executive Secretary; Michael Swan, Assistant Planner; Chuck Magaha, Emergency Management Director; Ken Miller, City of Lansing; Joe Herring, Herring Survey; Tammy Miller, Resident; Jerry Willburn, Resident; Don Starcher, Resident; Jim Starcher, Resident; Gary Starcher, Resident; Brad Jordan, Resident; Louis Klemp, Resident; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Louis Klemp made public comment.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the June 15, 2017 meeting minutes.

Motion passed, 3-0.

Planning and Zoning presented case number DEV-17-071, a temporary special use permit for a firework stand located at the southeast corner of McLouth Road and Hatchell Road.

Commissioner Smith opened public hearing.

No one spoke in favor of or opposition of the permit.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve case number DEV-17-071, a temporary special use permit for a firework stand, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning present case number DEV-17-072, a temporary special use permit for a fireworks stand located at 13944 Mitchell Court.

Commissioner Smith opened public hearing.

No one spoke in favor of or opposition of the permit.

A motion was made by Commissioner Smith and seconded Commissioner Graeber to waive the application fees in case numbers DEV-17-071 and DEV-17-072.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve case number DEV-17-072, a temporary special use permit for a fireworks stand, subject to all conditions.

Motion passed, 3-0.

Chuck Magaha updated the Board on the storms this past weekend and requested the Transfer Station to open up for free debris disposal for 7 days and presented a declaration of disaster.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to approve the opening of the Transfer Station for 7 days with free debris disposal and approve the declaration of disaster.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve resolution 2017-37, a resolution and proclamation for a state of local disaster emergency for Leavenworth County.

Motion passed, 3-0.

David Lutgen requested approval to award bid to King's Construction on the 147th Street project in the amount of \$5,071,202.40.

A motion was made by Commissioner Holland and seconded by Graeber to award bid to King's Construction in the amount of \$5,071,202.40 for the 147th Street project.

Motion passed, 3-0.

Mr. Lutgen requested approval to award bid for three pickup trucks to Henry Martens Chevrolet in the amount of \$89,706.87.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to award bid to Henry Martens Chevrolet in the amount of \$89,706.87 for three pickup trucks.

Motion passed, 3-0.

Mr. Lutgen requested approval to solicit proposals for the survey and design of 178th Street and 150th Street.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve solicitation of proposals for the survey and design of 178th Street and 150th Street.

Motion passed, 3-0.

Mr. Lutgen requested approval to accept partial funding from the U.S. Fish and Wildlife Service National Fish Passage Program in the amount of \$50,000.00 for the replacement of Bridge SH-30.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to accept the funding from the U.S. Fish and Wildlife Service National Passage Program.

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 9:41 a.m.

*****June 22, 2017*****

The Board of County Commissioners met in regular session on Thursday, June 22, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Janet Klasinski, County Clerk; Ken Miller, City of Lansing; David Van Parys, Consultant; Sara Shafer, Public Works Deputy Director; Karol Lohman, Brenda Taxeras & Chelsi Myer, Extension Office; Kelly Meyer, Anne Lourentzos, Jinny Freeman & Clyde Dopheide, CASA; Alyssa Blyden & Suzanne Morris, Alliance Against Family Violence; Bess Bonewits & Briana Cavinaw, Saint Vincent Clinic; Mary Ann Brown, Leavenworth County Historical Society; David Schroeder, LCDC; Joe Herring, Herring Survey; John Matthews, Resident; Jim Starcher, Resident; Gary Starcher, 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 June 19, 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 June 26, 2017.

Motion passed, 3-0.

Mark Loughry suggested moving the July 3rd meeting to two sessions on July 6th.

Janet Klasinski requested appointment of Gary Eberth as a Fairmount Township trustee.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to appoint Gary Eberth as Fairmount Township trustee.

Motion passed, 3-0.

David Van Parys requested approval to forward a proposed MOU between the city of Lansing and the County for the purpose of improving McIntyre Road.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to forward the proposed MOU to the city of Lansing for approval.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to adjourn to conduct a budget work session.

Motion passed, 3-0.

The Board adjourned at 9:12 a.m.

A work session was held discussing the 2018 budget.

*****June 26, 2017*****

The Board of County Commissioners met in regular session on Monday, June 26, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Andrea Hughes, Deputy County Counselor; Becky Matzeder, Executive Secretary; Larry Malbrough, Information Systems Director; Tamara Copeland, Human Resources Director; Greg Robinson, Attorney at Law; Joe Herring, Herring Survey; Ken Miller, City of Lansing; Louis Klemp, Resident; John Matthews, Resident; Don Starcher, Resident; Gary Starcher, 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 June 22, 2017 meeting minutes.

Motion passed, 3-0.

Andrea Hughes updated the Board on the progress of the tax sale.

Larry Malbrough requested a 60 day extension on journaling emails to continue to work on an email retention policy.

A motion was made by Commissioner Smith to remove any legal holds on email accounts from November.

Greg Robinson, Attorney at Law, requested an exception to the motion to any holds that would pertain to litigation and notices and any email accounts advised to Mr. Ryburn.

The motion was seconded by Commissioner Graeber for discussion.

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

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to extend journaling of emails for 60 days.

Motion passed, 3-0.

Commissioner Smith was contacted about a commercial business not maintaining the property indicating the County does not have any authority over this.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess into executive session for 20 minutes to discuss non-elected personnel exception under K.S.A. 75-4319b to discuss possible personnel actions involving two county employees or more. The meeting will resume in here at 9:45 a.m. Present the three Commissioners, Mark Loughry and Mollie Hill.

Motion passed, 3-0.

The Governing Body reconvened into regular meeting at 9:45 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 Graeber to have Mark Loughry proceed as discussed.

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

Commissioner Graeber commented the Fishing Derby was a great success.

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

Motion passed, 3-0.

The Board adjourned at 9:48 a.m.

Final Approved

*****June 29, 2017*****

The Board of County Commissioners met in regular session on Thursday, June 29, 2017. Commissioner Smith, Commissioner Graeber and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; Mollie Hill, County Counselor; Janice Van Parys, County Treasurer; Molly Ruebhausen, County Treasurer; Jeff Joseph, Planning & Zoning Director; Michael Swan, Assistant Planner; Jamie Miller, EMS Director; Andy Dedeke, Leavenworth County Sheriff; Stacy Driscoll, Register of Deeds; Joe Herring, Herring Survey; Ken Miller, City of Lansing; David Thiel, Realtor; Don Starcher, Resident; Gary Starcher, Resident; John Matthews, Resident; Louis Klemp, Resident;

PUBLIC COMMENT:

Louis Klemp made public comment.

ADMINISTRATIVE BUSINESS:

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

Motion passed, 3-0.

The BOCC acknowledged Molly Stickelman as Employee of the Month for July.

Jamie Miller requested approval of the KDHE aid to local grants.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to accept the KDHE aid to local grant and have the chairman sign and date the same.

Motion passed, 3-0.

Andy Dedeke requested the chairman to sign the annual amendment to the food service contract with CBM Managed Services.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve the contract with CBM Managed Services and have the chairman sign and date the same.

Motion passed, 3-0.

Sheriff Dedeke requested to terminate the current inmate health contract with Advanced Correctional Healthcare, Inc. recommending providing in-house healthcare.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to terminate the current inmate healthcare contract with Advanced Correctional Healthcare, Inc.

Motion passed, 3-0.

A motion was made by Commissioner Graeber and seconded by Commissioner Holland to authorize the Sheriff to implement any necessary agreements and changes to move healthcare in-house.

Motion passed, 3-0.

Mark Loughry indicated staff has been working with Grinter Farms about the upcoming sunflower season and traffic issues.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber for approval of the agenda for the week of July 3, 2017.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-17-061/062, a review of a preliminary and final plat for the Estates at Colt Creek located near 219th Street and McIntyre Road.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV- 17-061/062, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-17-063/064 a review of a preliminary and final plat for Reischman Corner located near 242nd Street and Honey Creek Road.

A motion was made by Commissioner Graeber and seconded by Commissioner Smith to approve Case Number DEV-17-063/064, subject to all conditions.

Motion passed, 3-0.

Planning and Zoning presented to Case Number DEV-17-065, a review and final plat of Deer Mound replat located near 254th Street and Stillwell Road.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Case Number DEV-17-065, subject to all conditions.

Motion passed, 3-0.

Mr. Loughry presented a proposed resolution that allows an applicant to get a building permit but will require a variance through the BZA which addresses the non-compliant lots and letters issued by a previous planning and zoning director.

A motion was made by Commissioner Holland and seconded by Commissioner Graeber to approve Resolution 2017-38, a resolution adopting a new "Building Permit Exceptions Policy" to govern all parcels of land under jurisdiction of the Board of County Commissioners.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to recess into executive session for 10 minutes pursuant to be to the non-elected personnel exception under K.S.A. 75-4319b1 to discuss possible personnel actions involving county employees. The meeting will resume at 10:20 a.m. in this room. The following persons in attendance would be the three Commissioners and Mark Loughry.

Motion passed, 3-0.

The Governing Body reconvened into the regular meeting at 10:20 a.m.; no votes were taken or decisions made during the executive session and the discussion was limited to the subject stated.

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

The Board adjourned at 10:27 a.m.