

*****February 6, 2018 SESSION I*****

The Board of County Commissioners met in regular session on Tuesday, February 6, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; Megan Waters, Adult Community Corrections Director; Janet Klasinski, County Clerk; Lucas Schmalbeck, Juvenile Corrections Director; Stacy Driscoll, Register of Deeds; Lloyd Martley, Basehor County Administrator; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: AW Himpel, Glen Berry, John Matthews, Linda Sturgeon, Gary Starcher, Joe Herring, Travis Myers, Tamara Miller

PUBLIC COMMENT:

Travis Myers requested a waiver of the 60 foot easement requirement to get a road back to his landlocked property located west of 219th St.

Commissioner Klemp indicated the County Administrator will look into the matter with appropriate staff.

ADMINISTRATIVE BUSINESS:

Commissioner Holland indicated the American Legion requested funding for the baseball program in the amount of \$7,000.00 from the special parks and recreation fund.

***A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve \$7,000.00 from the parks and recreation fund for the American Legion.
Motion passed, 3-0.***

Mark Loughry indicated the Employee of the Month will be moved to next week.

Commissioner Klemp inquired about the County Road 1 study and asked if this would be coordinated to have a study of the whole county.

Mr. Loughry reported earlier this year the Board asked the study for County Road 1 move forward due to the moratorium.

***A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve the consent agenda for Tuesday, February 6, 2018.
Motion passed, 3-0.***

Megan Waters presented the quarterly report for Adult Community Corrections.

Lucas Schmalbeck presented the quarterly report for the Juvenile Corrections Department and Juvenile Detention Center.

Jeff Joseph presented the quarterly report for the Planning and Zoning Department.

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

Motion passed, 3-0.

The Board adjourned Session I at 9:51 a.m.

Final Approved

*****February 6, 2018 SESSION II*****

The Board of County Commissioners met in regular session on Tuesday, February 6, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; David Lutgen, Public Works Director; Sarah Shafer, Public Works Deputy Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, Glen Berry, John Matthews, Linda Sturgeon, Gary Starcher, Joe Herring, Travis Myers, Tamara Miller, David Thiel, Scott Hughes, Karen Erzen

Discussion took place regarding the appointment of two members to the Leavenworth County Port Authority.

A motion was made by Commissioner Holland to reappoint Bob Patzwald and appoint Vernon Fields to the Leavenworth County Port Authority.

The motion was seconded by Commissioner Klemp for discussion.

Commissioner Klemp removed his second on the motion and moved to appoint Chris Donnelly.

Commissioner Smith indicated he would suggest Rod Sturgeon and Vernon Fields.

A motion was made by Commissioner Holland seconded by Commissioner Klemp to reappoint Bob Patzwald to the Leavenworth County Port Authority.

Motion passed, 2-1 Commissioner Smith voting nay.

A motion was made by Commissioner Holland to appoint Vernon Fields.

Motion dies for lack of second.

A motion was made by Commissioner Klemp to appoint Chris Donnelly.

Motion dies for lack of second.

A motion was made by Commissioner Smith to appoint Rod Sturgeon.

Motion dies for lack of second.

Commissioner Smith expressed the need to have representation from each city on the Port Authority Board.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to appoint Vernon Fields to the Leavenworth County Port Authority.

Motion passed, 2-1 Commissioner Smith voting nay.

David Lutgen presented revisions to the Access Management Policy and a resolution approving it.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the Access Management Policy and Resolution 2018-2.

Joe Herring asked for clarification on sections of the policy.

Motion passed, 3-0.

Mark Loughry indicated recommendations from the work session have been implemented into the proposed RIF and DIF policy.

Joe Herring, David Thiel, Karen Ernzen and Glen Berry commented.

Discussion took place regarding concerns with people who donate land to family members.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to table this and discuss at an evening meeting.

Motion passed, 3-0.

Mr. Lutgen requested approval signing of the Annual Noxious Weed Eradication Progress Report.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve and sign the Annual Noxious Weed Eradication Progress Report.

Motion passed, 3-0.

Mr. Lutgen requested approval to approve up to \$20,000.00 for the demolition of 305 Walnut St.

A motion was made by Commissioner Holland seconded by Commissioner Smith to approve up to \$20,000.00 for the demolition of 305 Walnut St.

Motion passed, 3-0.

Mr. Lutgen requested approval to award contract to Alfred Benesch & Company in the amount of \$73,592.00 for the 2018 Leavenworth County biennial bridge inspection.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to award bid to Alfred Benesch & Company in the amount of \$73,592.00 for the 2018 Leavenworth County biennial bridge inspection.

Motion passed, 3-0.

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

Motion passed, 3-0.

The Board adjourned Session II at 11:59 a.m.

*****February 13, 2018 SESSION I*****

The Board of County Commissioners met in regular session on Tuesday, February 13, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Stephanie Sloop, Safety Committee; Fran Keppler, Safety Committee; Chuck Magaha, Emergency Management Director; Janet Klasinski, County Clerk; Jamie Miller, EMS Director and several EMS employees; Linda Lobb, Council on Aging Director; Kim Buchanan, Solid Waste Committee; Tammy Saldivar, Solid Waste Director; David Lutgen, Public Works Director; Ken Miller, City of Lansing; George Brajkovic, Tonganoxie City Manager; John Richmeier, Leavenworth Times

Residents: James Berry, AW Himpel, John Matthews, Joe Herring, Linda Sturgeon

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry inquired about the Chamber of Commerce asking if the County wants a non-voting membership on their Board.

Mr. Loughry indicated the Employee of the Month has declined and reported the department heads have agreed to no longer have the drawing every month.

David Van Parys started to give the Board the status of the lawsuit with the city of Leavenworth.

Commissioner Klemp indicated he would like to take up these matters at the end of the meeting.

Fran Keppler and Stephanie Sloop presented the KERIT PLUS scorecard indicating Leavenworth County received 9 out of 10 points. They stated to achieve the extra point EMS and the Sheriff's department would have to have a physical fitness program that's mandatory.

Mr. Loughry stated there would be a cost to implement it and the offset would not be worth it.

Commissioner Klemp requested staff to look into the program for physical fitness for all employees.

Commissioner Klemp requested Mr. Loughry to look into possible jury funding from the State and to send a letter to legislation.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve the consent agenda for Tuesday, February 13, 2018.

Motion passed, 3-0.

Chuck Magaha presented the quarterly report for Emergency Management.

Linda Lobb presented the quarterly report for Council on Aging.

Jamie Miller presented the quarterly report for the Health Department.

Mr. Miller presented the quarterly report for the EMS department.

Mr. Miller reported that EMS is struggling with retention and is working with Mr. Loughry on a solution.

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

Motion passed, 3-0.

The Board adjourned Session I at 10:22 a.m.

Final Approved

*****February 13, 2018 SESSION II *****

The Board of County Commissioners met in regular session on Tuesday, February 13, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Jeff Joseph, Planning and Zoning Director; David Lutgen, Public Works Director; Tammy Saldivar and Kim Buchanan, Solid Waste Committee; John Richmeier, Leavenworth Times

Residents: Linda Sturgeon, AW Himpel, Joe Herring, John Matthews, James Berry

Joe Herring made public comment.

Tammy Saldivar and Kim Buchanan requested approval for membership changes to the Solid Waste Committee indicating Dr. Roy Braum has stepped down from his position.

Mr. Loughry indicated he has hesitation about putting another county employee on the committee.

Ms. Saldivar reported there are two members that do not show up for meetings.

Ms. Saldivar reported the County wide cleanup will be April 14th through April 28th.

The positions on the Solid Waste Committee will be presented after discussion with the County Administrator.

David Lutgen requested approval to award a contract to Benesch Engineering for four bridge projects to be funded out of TIF funds.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to award bid to Benesch Engineering for four bridge projects.

Motion passed, 3-0.

Jeff Joseph presented a proposal from Vireo for a land use study on County Road 1.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to accept the proposal from Vireo for the County Road 1 land use study.

Motion passed, 2-1 Commissioner Klemp voting nay.

It was the consensus of the Board to have Commissioner Klemp attend the Chamber meetings.

Mr. Lutgen presented a change order for the design of a roundabout on the Eisenhower Road project.

Mr. Loughry recommended to hold off because of pending litigation.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp that the Board of County Commissioners go back to the original design on Eisenhower Road for conduit as the road is being built for future traffic signals and allow the County Counselor to enter an appropriate legal agreement with the city of Leavenworth.

Motion passed, 3-0.

The Board discussed animal control in the County.

Commissioner Smith requested updated numbers for animal calls in the County.

Commissioner Klemp presented a bill from Anderson & Byrd in the amount of \$12,316.60.

A motion was made by Commissioner Klemp and seconded by Commissioner Smith to approve the bill from Anderson & Byrd in the amount of \$12,316.60.

Motion passed, 2-1 Commissioner Holland voting nay.

A bill was presented for \$1066.00 from Commissioner Holland who hired his own attorney.

A motion was made by Commissioner Smith and seconded Commissioner Klemp to approve a bill from Goodell, Stratton, Edmonds & Palmer LLP in the amount of \$1066.00.

Motion passed, 3-0.

The Board adjourned Session II at 11:28 a.m.

Final Approved

*****February 22, 2018 SESSION I*****

The Board of County Commissioners met in regular session on Thursday, February 22, 2018. Commissioner Smith, Commissioner Klemm and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Bob Weber, County Appraiser; Janet Klasinski, County Clerk; Larry Malbrough, Information Systems Director; Jeff Culbertson, GIS Director; Wayne Doty, GIS Department; Chelsi Myer, K-State Extension Office; John Richmeier, Leavenworth Times

Residents: Joe Herring, Glen Berry, Chad Schimke

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported the Register of Deeds did have money to transfer to the technology fund that was budgeted in the amount of \$10,000.00; therefore no action is needed for this agenda item.

Mr. Loughry indicated the executive session will not be needed.

Mr. Loughry asked the Board about possible consolidation of departments and asked if he has authority to do so as he works through those administratively or to bring it before the Board.

It was the consensus of the Board to allow Mr. Loughry to work through the department consolidation administratively.

Commissioner Smith attended a benefit dinner for the restoration of the Little Stranger Church on February 13th and announced the Tonganoxie FFA will host a breakfast on Saturday, February 24th at the Tonganoxie High School.

Commissioner Smith reported he has received calls and emails about animal control in the county.

Mr. Loughry indicated the Sheriff's Department is putting together numbers and will be presented in March.

Commissioner Klemm indicated he would like to see all mail in elections.

Janet Klasinski reported that statutorily she can only have a mail in ballot for questions, such as bonds or sales tax.

It was the consensus of the Board to have the County Clerk prepare a letter to legislation.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Thursday, February 22, 2018.

Motion passed, 3-0.

Larry Malbrough presented the quarterly report for the Information Systems Department.

Jeff Culbertson presented the quarterly report for the GIS Department.

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

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

Motion passed, 3-0.

The Board adjourned Session I at 10:20 a.m.

Final Approved

*****February 22, 2018 SESSION II *****

The Board of County Commissioners met in regular session on Thursday, February 22, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; David Lutgen, Public Works Director; John Richmeier, Leavenworth Times

Residents: Joe Herring, Glen Berry, Chad Schimke

David Lutgen presented the quarterly report for Public Works.

Mr. Lutgen requested approval of a revised policy on local service roads to eliminate blading of private driveways.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to remove article 8 on the local service roads policy.

Motion passed, 2-1 Commissioner Holland voting nay.

Mr. Lutgen requested to include 174th Street (State Ave to Evans Road), McPherson Road (Highway 5 to end of road) 119th (McPherson to Kelly) and Donahoo Road (from 155th St to 175th St) roadway sections on the PRP list and begin easement acquisition.

A motion was made by Commissioner Smith to accept the roadway sections to the PRP list to include 174th Street (State Ave to Evans Road), McPherson Road (Highway 5 to end of road) 119th (McPherson to Kelly) and Donahoo Road (from 155th St to 175th St).

The motion was seconded by Commissioner Klemp for discussion.

Commissioner Holland disagreed with doing dead end roads when there are through roads that need to be done.

Mr. Loughry suggested addressing it in the PRP policy to prioritize the roads.

Motion passed 2-1 Commissioner Holland voting nay.

The Board recessed for five minutes.

A work session was held discussing secondary roads.

Commissioner Klemp presented a bill from Fisher, Patterson, Sayler and Smith in the amount of \$6,665.88.

A motion was made by Commissioner Smith to approve the bill from Fisher, Patterson, Sayler and Smith in the amount of \$6,665.88.

The motion was seconded by Commissioner Klemp for discussion.

Commissioner Holland inquired if this is the law firm representing One Beacon, the insurance carrier and why isn't One Beacon paying this bill.

David Van Parys indicated it was a decision made by this Board to have this firm assist Anderson & Byrd reporting that One Beacon has agreed to pay half of Fisher, Patterson, Sayler and Smith bills.

Motion passed 2-1 Commissioner Holland voting nay.

*A motion was made by Commissioner Smith and seconded by Commissioner Holland to adjourn.
Motion passed, 3-0.*

The Board adjourned Session II at 11:55 a.m.

Final Approved

*****February 27, 2018 SESSION I*****

The Board of County Commissioners met in regular session on Tuesday, February 27, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; David Lutgen, Public Works Director; Sarah Shafer, Public Works Deputy Director; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; Wayne Malnicof, County Surveyor; Stacy Driscoll, Register of Deeds; Kim Buchanan and Tammy Saldivar, Solid Waste Committee; Mike Seck, Attorney at Law; Scott Ryburn, Attorney at Law;

Residents: Glen and Rhonda Berry, Lynn Looney, Jeff and Karen Logan, John Matthews, Joe Herring, AW Himpel, Jessi Hampton, Christy Manthe

PUBLIC COMMENT:

Jeff Logan requested information on how to get a deputy on site for Pleasant Ridge School district.

Mark Loughry indicated he will contact the Sheriff.

Lynn Looney commented on the change in policy regarding grading private driveways.

Jeff Logan commented on the grading of private driveways.

Glen Berry commented on the grading of private driveways.

ADMINISTRATIVE BUSINESS:

Mark Loughry requested consideration of an executive session regarding attorney/client privileges.

Commissioner Holland referenced Resolution 2014-41 with regards to bonding money for road projects.

A motion was made by Commissioner Holland to terminate the lawyers.

Motion dies for lack of second.

Mr. Loughry presented two resolutions for the Basehor Annexations that provides cleanup of the legal descriptions.

A motion was made by Commissioner Smith to repeal 2017-27.

Commissioner Smith withdraws his motion.

A motion was made by Commissioner Holland to bond 10 million dollars.

The motion was seconded by Commissioner Smith for discussion.

Commissioner Smith asked how MARC funding would affect the design of Eisenhower Road project.

David Lutgen indicated funding from MARC would not be available until 2021 or 2022.

Mr. Loughry indicated the County is not at the point to issue bonds yet until design work is complete, property acquisitions are acquired and utilities located.

Commissioner Holland rescinded his motion and Commissioner Smith rescinded his second.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to move forward with Eisenhower Road and issue debt when it's time.

Motion passed, 2-1 Commissioner Klemp voting nay.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve Resolution 2018-3, regarding the city of Basehor's request of annexation, repealing 2017-63.

Motion passed, 3-0.

A motion was made by Commissioner Holland seconded by Commissioner Smith to approve Resolution 2018-4, regarding the city of Basehor's request of annexation, repealing 2017-62.

Motion passed, 3-0.

Commissioner Smith reported from the MARC meeting regarding recycling.

Commissioner Holland reported from the Workforce meeting.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday, February 27, 2018.

Motion passed, 3-0.

Kim Buchanan requested approval of a resolution to repeal resolution 2012-1 that scales back membership for the Leavenworth County Solid Waste Management Committee from 15 to an 8 member roster.

A motion was made by Commissioner Smith to repeal 2012-1.

Commissioner Smith withdrew his motion.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve resolution 2018-5, reducing the number of required member positions for the Leavenworth County Solid Waste Management Committee, repealing resolution 2012-1.

Motion passed, 3-0.

Wayne Malnicof requested to vacate a portion of 215th Street that will match an existing vacation done on May 1997.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to vacate a portion of 215th section 16, township 9, range 21.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to adjourn Session I.

Motion passed, 3-0.

The Board adjourned Session I at 6:41 p.m.

Final Approved

*****February 27, 2018 SESSION II *****

The Board of County Commissioners met in regular session on Tuesday, February 27, 2018. Commissioner Smith, Commissioner Klemp and Commissioner Holland are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk, David Lutgen, Public Works Director; Sara Shafer, Deputy Public Works Director; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; Stacy Driscoll, Register of Deeds;

Residents: Glen and Rhonda Berry, Joe Herring, AW Himpel, John Matthews

A motion Commissioner Holland and seconded by Commissioner Smith board order 2018-1, vacating a portion of 215th Street located in southwest and southeast quarters of section 16, township 09 south, range 21 east of the 6th p.m. in Leavenworth County, Kansas.

Motion passed, 3-0.

David Lutgen requested approval to award contracts for the design of eight road projects with 171st Street and 214th Street project be awarded to Napier Engineering. The remainder of the projects that includes 163rd Street, 166th Street, Stranger Road, McIntyre Road, 235th Street and Leavenworth Road/223rd Street be awarded to Wilson and Company.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to award eight road projects to Napier Engineering and Wilson and Company.

Motion passed, 3-0.

Jeff Joseph presented a resolution to update the road improvement fee policy introducing the family homestead exemption policy that addresses the concerns raised regarding financial impact the development improvement fee may have on the transfer of land to family members.

Joe Herring commented.

Glen Berry commented.

It was the consensus of the Board to forward the family homestead exemption policy to the Planning Commission.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve Resolution 2018-6, with the change reducing the fees to one half of what was originally proposed which would be \$14.25 for low volume, \$23.75 for the other roads designed and \$3,000.00 for a minimum fee on the RIF.

Motion passed, 3-0.

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

Motion passed, 3-0.

The Board adjourned Session II at 7:59 p.m.