

*****March 6, 2018 SESSION I *****

The Board of County Commissioners met in regular session on Tuesday, March 6, 2018. Commissioner Klemp and Commissioner Holland are present; Commissioner Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; David King, Chief Judge; Steve Crossland, Court Administrator; Todd Thompson, County Attorney; Shawn Boyd, Deputy County Attorney; Nancy Theis, County Attorney's Office; David Lutgen, Public Works Director; Sarah Shafer, Public Works Deputy Director; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; Christa Mcgaha, Planner; John Richmeier, Leavenworth Times

Residents: Joe Herring, Glen Berry, John Matthews, Nancy English, Gary Starcher, Paul Wrablica

PUBLIC COMMENT:

Joe Herring requested the Commission go back to two meetings per week.

Glen Berry commented about the grading of private driveways.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a letter of support for the MARC call for projects for the city of Basehor in regards to continual maintenance on 155th Street.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve the letter of support to MARC for 155th Street.

Motion passed, 2-0.

Todd Thompson discussed implementing the grand jury process in his office.

Mr. Loughry reported the resource officer at Pleasant Ridge schools has been out on leave and once cleared for duty will return to the school.

Commissioner Klemp inquired about indoor alerts for weather.

Mr. Loughry indicated he will check with Mr. Magaha.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve the consent agenda for Tuesday, March 6, 2018.

Motion passed, 2-0.

David Lutgen indicated KDOT has informed Leavenworth County that they are making federal funds in the amount of \$396,205.48 available to Leavenworth County. Mr. Lutgen requested to exchange the federal funds to state funds in the amount of \$297,154.11.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve exchanging federal funds for state funds.

Motion passed, 2-0.

Mr. Lutgen requested approval of an agreement with KDOT for the preliminary engineering of high risk rural road project to fund signage upgrades along County Rt. 5 and County Rt. 10 in the amount of \$15,990.18. 100% of this cost will be reimbursed to the County by KDOT.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve the agreement with KDOT for the HRRR project.

Motion passed, 2-0.

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

Motion passed, 2-0.

The Board adjourned Session I at 9:46 a.m.

Final Approved

*****March 6, 2018 SESSION II *****

The Board of County Commissioners met in regular session on Tuesday, March 6, 2018. Commissioner Klemp and Commissioner Holland are present; Commissioner Smith is absent; 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, Christa Mcgaha, Planner; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, Glenn Berry, Nancy English, Gary Starcher, Paul Wrablica

Planning and Zoning presented Case Number DEV-18-003/004 a preliminary and final plat for Gravel Road Subdivision.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Case Number DEV-18-003/004, a preliminary and final plat for Gravel Road Subdivision; subject to all conditions.

Motion passed, 2-0.

Planning and Zoning presented Case Number DEV-18-005/006 a preliminary and final plat for Prairie Trails.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Case Number DEV-18-005/006 a preliminary and final plat for Prairie Trails; subject to all conditions.

Motion passed, 2-0.

Planning and Zoning presented Case Number DEV-17-142, an amendment to Article 19 allowing home remodeling and light construction in the residential zoning district.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Case Number DEV-17-142, an amendment to Article 19; subject to all conditions.

Motion passed, 2-0.

A motion was made by Commissioner Holland seconded by Commissioner Klemp to approve Resolution 2018-7, amending the articles of the 2006 Zoning and Subdivision regulations.

Motion passed, 2-0.

Planning and Zoning presented Case Number DEV-17-143 a special use permit for a communication tower, MW Tower with an increase height of the tower.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Case Number DEV-17-143, a special use permit for a communication tower, MW Tower; subject to all conditions.

Motion passed, 2-0.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Resolution 2018-8, issuing a special use permit for a communication tower located at 25112 211th St.

Motion passed, 2-0.

Planning and Zoning presented Case Number DEV-18-009 a temporary special use permit for Brew to Brew Charity Run with the applicant requesting to waive the \$100.00 application fee.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Holland to approve Case Number DEV-18-009 and waive the application fee; subject to all conditions.

Motion dies for lack of second.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve Case Number DEV-18-009, a temporary special use permit for Brew to Brew Charity Run.

Motion passed, 2-0.

Commissioner Klemp addressed a bill submitted by Commissioner Holland for attorney fees.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to approve a bill from Goodell, Stratton, Edmonds and Palmer, LLC in the amount of \$5,865.83.

Motion passed, 2-0.

A discussion regarding 179th Street road project will be added to next week's agenda.

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

Motion passed, 2-0.

The Board adjourned Session II at 10:24 a.m.

*****March 13, 2018 SESSION I *****

The Board of County Commissioners met in regular session on Tuesday, March 13, 2018. Commissioner Smith and Commissioner Klemp are present; Commissioner Holland is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jamie Miller, Director of EMS; Andy Dedeke, Leavenworth County Sheriff; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring, Jerry Willburn, Amy Salazar, Glen Berry, Gary Starcher, Linda Sturgeon

PUBLIC COMMENT:

Amy Salazar made comment regarding 179th Street.

Glen Berry made comment about animal control.

ADMINISTRATIVE BUSINESS:

Jamie Miller presented the aid to local grant application for the Health Department.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the aid to local grant and have the chairman sign the same.

Motion passed, 2-0.

Mark Loughry indicated a renewal was received from the Kansas County Commissioner Association and inquired if the Commission wishes to renew the membership.

A motion was made by Commissioner Smith to continue membership with the Kansas County Commissioner Association.

Motion dies for a lack of second.

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

Motion passed, 2-0.

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

Motion passed, 2-0.

The Board adjourned Session I at 9:21 a.m.

*****March 13, 2018 SESSION II *****

The Board of County Commissioners met in regular session on Tuesday, March 6, 2018. Commissioner Smith and Commissioner Klemp are present; Commissioner Holland is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Andy Dedeke, Leavenworth County Sheriff; David Lutgen, Public Works Director; Sarah Shafer, Public Works Deputy Director; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring, Jerry Wilburn, Amy Salazar, Glen Berry, Gary Starcher, Linda Sturgeon, Chad Schimke

Mark Loughry on behalf of Public Works requested approval exchanging federal funds for state funds in the amount of \$559,548.68.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve exchanging federal funds for state funds in the amount of \$559,548.68.

Motion passed, 2-0.

Andy Dedeke discussed the current status of animal control in Leavenworth County.

Commissioner Smith indicated he would like to see the cost to have a contract with the city of Leavenworth.

Mr. Loughry indicated he will put together the numbers and bring it back during the budget process.

Discussion took place regarding the PRP program with regards to dead end roads and a dust patch program.

Jerry Wilburn, Chad Schimke and Glen Berry made comment.

Mr. Loughry suggested revamping the PRP program and bringing it back to the commission in 30 days.

Discussion took place regarding the 179th Street project.

A motion was made by Commissioner Klemp to drop 179th Street.

Motion dies for a lack of a second.

Amy Salazar made comment.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to pay a bill from Anderson and Byrd in the amount of \$15,365.65.

Motion passed, 2-0.

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

Motion passed, 2-0.

The Board adjourned Session II at 10:41 a.m.

*****March 20, 2018*****

The Board of County Commissioners met in regular session on Tuesday, March 20, 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; Sarah Shafer, Public Works Deputy Director; John Richmeier, Leavenworth Times

Residents: Gary Starcher, Joe Herring, Jane Gilbert, Linda Sturgeon, Rick Darrow

PUBLIC COMMENT:

Jane Gilbert made public comment regarding the PRP program.

ADMINISTRATIVE BUSINESS:

Mark Loughry indicated outside counsel has requested an executive session for next week's agenda to discuss pending litigation.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve the consent agenda for Tuesday, March 20, 2018 as amended.

Motion passed, 3-0.

Sarah Shafer requested approval of a change order for bridge HP-19 due to discrepancies with FEMA's model of Stranger Creek for an amount not to exceed \$40,000.00.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the change order for bridge HP-19 for an amount not to exceed \$40,000.00.

Motion passed, 3-0.

Commissioner Klemp would like to arrange a visit the Tonganoxie Business Park.

Commissioner Klemp indicated 155th Street should be considered for another north/south road through the County.

The Board adjourned at 9:44 a.m.

*****March 27, 2018 *****

The Board of County Commissioners met in regular session on Tuesday, March 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; Scott Ryburn, Attorney at Law; Pat Barnhardt, Barbara Adolphson, John and Teresa Groves and Laura Thornton with the Leavenworth County/City Drug and Alcohol Abuse Council

Residents: Glen and Rhonda Berry, Larry Van Fleet, Joe Herring, AW Himpel

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Janet Klasinski reported the Special Alcohol Committee has requested distribution of funds to organizations that have applied through a grant process for alcohol and drug free activities.

Pat Barnhardt indicated the council has reviewed all applications and recommend the full amount requested.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the Leavenworth County/City Drug and Alcohol Abuse Council request.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Holland that the Board recess for a closed executive meeting for the discussion of pending litigation as justified by K.S.A. 75-4319(b)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney/client relationship and that the Board resume open meeting at 6:05 p.m. in the meeting room of the Board. Present in the executive meeting will be the County Commissioners, Mr. Scott Ryburn, County Administrator and Senior County Counselor.

Commissioner Klemp indicated he will not be participating in the executive session.

Commissioner Smith restated his motion that he and Commissioner Holland would be present.

Motion passed, 3-0.

The Board returned from Executive Session and resumed regular session at 6:05 p.m.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to authorize legal counsel to proceed as discussed in executive session.

Motion passed, 3-0.

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

Motion passed, 3-0.

Commissioner Klemp read a letter to Erlys Moe for her service on the Planning Commission.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to sign letter of appreciation to Erlys Moe.

Motion passed, 3-0.

Commissioner Klemp spoke about the budget of the Leavenworth County Port Authority with regards to the city of Leavenworth participation.

Commissioner Smith inquired about the status of the Alliance Against Family Violence program.

Mark Loughry indicated he met with a board member of the Alliance and they are going through restructuring.

Commissioner Smith asked when final appraisals will be complete.

Mr. Loughry indicated the deadline is in July.

Commissioner Klemp requested staff to draft a letter to representatives regarding term limits.

It was the consensus of the Board to draft letter to representatives.

The Board adjourned at 6:37 p.m.