

*****June 5, 2018 *****

The Board of County Commissioners met in regular session on Tuesday, June 5, 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; Sarah Shafer, Public Works Deputy Director; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring, Larry and Karen Kellogg, AW Himpel, Gary Starcher, Cynthia Jaccard, Jim and Lynn Cunningham

PUBLIC COMMENT:

John Matthews praised employees of the Planning and Zoning department for finding his personal property he lost on Courthouse grounds.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a request from the Alliance Against Family Violence for a letter of support to apply for a grant from the State.

A motion was made by Commissioner Smith and seconded by Commissioner Holland for the chairman to sign a letter of support for the Alliance Against Family Violence to apply for a grant.

Motion passed, 3-0.

Commissioner Holland read a letter from the Attorney General's Office regarding a KOMA complaint involving Dennis Bixby and himself stating there has been no violation found.

Commissioner Holland reported the cost of the lawsuits and settlements are over \$900,000.00.

Commissioner Smith indicated a complaint was received regarding the abandoned commercial building on Bayside Drive not mowing the grass.

David Van Parys indicated the County does not have standards concerning grass maintenance indicating neighbors could pursue a nuisance complaint through the Court.

Commissioner Klemp inquired about the cost of a pre-blast assessment for the one property mentioned last week.

Mr. Loughry reported it would be approximately \$500.00 to \$600.00.

A motion was made by Commissioner Smith that the County pay a pre-blasting assessment and post-blast assessment of the Kellogg property located across from the Tonganoxie Quarry.

The motion was seconded by Commissioner Klemp for discussion.

Commissioner Holland asked as to why we have to do it for one person when a quarter of a mile has always been acceptable.

Motion failed, 1-2 Commissioner Klemp and Commissioner Holland voting nay.

Karen Kellogg lives adjacent to the Tonganoxie Quarry and requested a copy of the blast plan and has been affected in the past by the blasting.

Commissioner Klemp expressed concern regarding the decision on a special use permit for a business last week indicating Planning and Zoning didn't have the information at the time to present to the Planning Commission.

Commissioner Smith felt it's important to be on the same page as the Planning Commission.

Mr. Loughry indicated the questions were asked during the meeting that had not been brought forth before.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday June 5, 2018.

Motion passed, 3-0.

David Lutgen requested approval to award bid on the 182nd Street project to Linaweaver Construction in the amount of \$415,334.10.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to award bid to Linaweaver Construction in the amount of \$415,334.10 for the 182nd Street project.

Motion passed, 3-0.

Mr. Lutgen reported Public Works has begun dust abatement on Gilman Road and then south to 127th Street tying in with the McIntyre Road sales tax project.

Commissioner Klemp requested staff to see if the Sheriff can enforce county resolutions.

A motion was made by Commissioner Smith to amend the 18 to 20 foot part of Resolution 2018-11 to raise it to 22 foot minimum.

Motion dies for lack of second.

Mr. Loughry asked the Board to entertain the idea of amending the agreement with King's Construction on Hollingsworth Road as an add on item to pave it as part of the dust abatement program.

Mr. Loughry will request a change order from King's construction for the Board's review for Hollingsworth Road.

Commissioner Smith indicated he will not support an 18 foot wide paved road.

Mr. Loughry presented a draft agreement regarding the appointment of members to the Leavenworth County Port Authority with Leavenworth County as the sole appointing authority without the review by the city of Leavenworth.

Commissioner Smith announced that Tongie days is this weekend.

Commissioner Klemp asked how the meetings with the cities regarding the master county plan are coming along.

Mr. Loughry indicated the master plan will be presented in the budget.

The Board adjourned at 10:20 a.m.

Final Approved

*****June 12, 2018*****

The Board of County Commissioners met in regular session on Tuesday, June 12, 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; Christa Mcgaha, Planner; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: AW Himpel, Glen Berry, John Matthews, Joe Herring, Tammy Miller

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Klemp asked again if the sheriff can enforce county resolutions.

David Van Parys indicated the violation of a county resolution is a misdemeanor and law enforcement can enforce it.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve the consent agenda for Tuesday June 12, 2018.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-18-066, a temporary special use permit for a fireworks stand located at 13944 Mitchell Court.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition of the permit.

Commissioner Smith asked why the applicant on the temporary special use permits have to come back each year.

Jeff Joseph indicated the Planning and Zoning department acts as a coordinator between entities.

Mark Loughry indicated there would have to be an amendment to the guidelines to be allowed as a permit that could be issued by staff.

It was the consensus of the Board to have staff bring back a proposed amendment.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve Case Number DEV-18-066, a temporary special use permit for a fireworks stand located at 13944 Mitchell Court; subject to conditions.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-18-067, a temporary special use permit for a fireworks stand located at 19230 McLouth Rd.

Commissioner Klemp opened public hearing.

No one spoke in favor or opposition of the permit.

Commissioner Klemp closed public hearing.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve case number DEV-18-067 a temporary special use permit for a fireworks stand at 19230 McLouth Rd; subject to conditions.

Motion passed, 3-0.

Commissioner Smith announced Basehor Dairy Days will be held June 14th, 15th and 16th.

Commissioner Smith attended Tongie Days.

Commissioner Smith announced Governor Collier gave 20 million dollars to schools for suicide prevention.

Commissioner Smith indicated 219th would be a good road to do the dust abatement without having to rebuilding it.

Glen Berry commented on the recycle program using federal inmate labor.

Commissioner Klemp proposed flashing red lights in all directions on 20th and Eisenhower.

Commissioner Klemp commented on private utilities.

Commissioner Klemp asked how a joint meeting with the cities is coming along.

Mr. Loughry indicated the cities felt a joint meeting would not be productive but would meet individually.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to move that the Board recess from open session and go into a closed executive session to discuss non-elected personnel matters as justified by K.S.A. 75-4319(b)(1) for a period of 15 minutes and that this Board resume open session in this meeting room at 10:15 a.m. Present would be Commissioner Holland, Commissioner Smith and Commissioner Klemp if he wishes and County Administrator, Mark Loughry.

Motion passed, 3-0.

The Board returned to regular session at 10:15 a.m.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to direct staff to proceed as discussed.

Motion passed, 3-0.

Commissioner Klemp asked when the budget process will start.

Mr. Loughry indicated the departments have turned in their budgets which will be reviewed this week then will be presented to the Board.

The Board adjourned at 10:25 a.m.

Final Approved

*****June 19, 2018*****

The Board of County Commissioners met in regular session on Tuesday, June 19, 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; Andrew Dedeke, Leavenworth County Sheriff; Janet Klasinski, County Clerk; Linda Lobb, Council on Aging Director; David Lutgen, Public Works Director; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: AW Himpel, Joe Herring; Chad Schimke, Linda Sturgeon, David Schafer

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry announced a work session for Thursday, June 28th at 9:00 a.m. on the 2019 budget.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve the consent agenda for Tuesday June 19, 2018.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to adjourn as the Board of County Commissioners and convene as the Board of County Canvassers.

Motion passed, 3-0.

Janet Klasinski reported the results of the USD#453 mail in ballot with a 35% turn out.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to accept the ballot of USD#453 mail in ballot.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to adjourn as the Board of County Canvassers and reconvene as the Board of County Commissioners.

Motion passed, 3-0.

Andy Dedeke requested approval of the amendment to the food service contract with CBM Managed Services with a savings of approximately \$16,000.00.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to authorize the chairman to sign the annual amendment to food service contract with CBM Managed Services.

Motion passed, 3-0.

Mr. Loughry requested the Board to approve the amount for the Council on Aging vehicle and he will make sure it will be within the County's policy as to the five percent.

Linda Lobb requested authorization to purchase a meals on wheels delivery vehicle using funds from the Memorial Fund.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to allow Council on Aging to purchase a vehicle not to exceed \$24,396.00.

Motion passed, 3-0.

David Lutgen requested to award bid to Reece Construction for the replacement of bridge HP-10 and Bridge HP-17 in the amount of \$321,330.00.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to award bid to Reece Construction for the replacement of bridge HP-10 and bridge HP-17 in the amount of \$321,330.00.

Motion passed, 3-0.

Mr. Lutgen requested to purchase a Solid Waste vehicle from Danny Zeck Ford in the amount of \$19,438.18.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to award bid to Danny Zeck Ford in the amount of \$19,438.18 for a Solid Waste vehicle.

Motion passed, 3-0.

Mr. Lutgen requested authorization to hire Tech Electronic to replace the fire alarm system at the Justice Center in the amount of approximately \$160,000.00.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve Buildings and Grounds to replace the fire alarm system and graphics programming not to exceed \$160,000.00.

Motion passed, 3-0.

Mr. Loughry indicated the change order was discussed two weeks ago to put down asphalt on Hollingsworth Road as opposed to the chip seal.

Mr. Lutgen presented a change order to the 147th Street project in the amount \$330,205.06 that would lay six inches of asphalt between 147th and 155th on Hollingsworth Road.

Mr. Loughry reported that it will not require any additional right of way or utility relocation.

A motion was made by Commissioner Smith to approve the change order for King's Construction for the paving of Hollingsworth Road for \$316, 690.06.

Commissioner Smith withdrew his previous motion.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to approve change order #5, Hollingsworth Road dust control asphalt for \$330,205.06.

Motion passed, 3-0.

Commissioner Smith requested approval of a legal bill from Vasos Law.

A motion was made by Commissioner Klemp and seconded by Commissioner Holland to pay a legal bill in the amount of \$11,283.12 from Vasos Law for Commissioner Smith.

Motion passed, 3-0.

Commissioner Smith attended the city of Tonganoxie meeting and reported the sales tax collections were above what was collected last year.

A motion was made by Commissioner Smith to authorize the County Administrator to look into Lifelock protection for all County employees and families.

Commissioner Smith indicated there has been a possibility that sensitive information has been leaving the Courthouse.

Commissioner Klemp requested staff to look into the cost of Lifelock.

Motion dies for lack of second.

Commissioner Klemp spoke about dust control on 155th Street to relieve traffic off 147th Street.

Mr. Lutgen will look at cost of the dust abatement.

The Board adjourned at 10:17 a.m.

Final Approved

*****June 26, 2018*****

The Board of County Commissioners met in regular session on Tuesday, June 26, 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

Residents: John Matthews, AW Himpel, Glen & Rhonda Berry, Joe Herring, Bill Trower, Thomas Reed, Joe & Joyce McMillen, Curt Robertson, Stanley & Joyce Greer

PUBLIC COMMENT:

Bill Trower, Thomas Reed and Joyce McMillen commented about chip and seal on Donahoo Road.

Curt Robinson made public comment regarding dust control on 219th Street.

ADMINISTRATIVE BUSINESS:

David Van Parys reported the County received notice to join Kane County Utah in a class action lawsuit that alleges the federal government underpaid counties and being provided payment in lieu of taxes. He indicated Leavenworth County has one parcel that is subject to payment.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to opt into the class action lawsuit.

Motion passed, 3-0.

Mark Loughry reported the city of Tonganoxie will hold a public meeting on July 2nd with the intent issue industrial revenue bonds.

Mr. Loughry would like to schedule meetings with outside agencies on Monday, July 2nd at 9:00 a.m. for budget hearings.

Mr. Loughry inquired about Lifelock for employees indicating the cost as \$5.99 per employee or \$8.49 per family and the County providing this as a paid benefit for the employee.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday June 26, 2018.

Motion passed, 3-0.

Mr. Loughry presented an occupancy agreement with Fairmount Township Board and EMS that outlines responsibilities of both parties since EMS is stationed out of the Fairmount Township fire building in Basehor.

Commissioner Smith indicated he would like to see a long range plan for future growth.

A motion was made by Commissioner Smith and seconded by Commissioner Holland to authorize the chairman to sign a one year contract with Fairmount Township Board to house an ambulance in the city of Basehor.

Motion passed, 2-1 Commissioner Klemp voting nay.

Commissioner Smith attended the fishing derby, the GOP picnic and MARC meeting.

Commissioner Klemp spoke about the Eisenhower road project.

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

The Board adjourned at 6:28 p.m.

Final Approved