

*****August 7, 2018*****

The Board of County Commissioners met in regular session on Tuesday, August 7, 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; Linda Lobb, Council on Aging Director; Megan Waters, Adult Community Corrections Director; Jim Sherley, Undersheriff; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Senior Planner; David Lutgen, Public Works Director; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: AW Himpel, Chad Schmike, Glen Berry, Gary Starcher, Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported Public Works met with residents along 174th and Donahoo Rd regarding the PRP program.

Commissioner Klemp inquired about the phone call with Dennis Bixby about retrieving documents.

Commissioner Holland informed the Board Mr. Bixby indicated he does not have the documents and informed him to contact the County Administrator.

Commissioner Smith indicated he would like to have a survey of employees that have had their identities stolen in the last two years.

David Van Parys indicated the Board could refer to local law enforcement.

A motion was made by Commissioner Smith seconded by Commissioner Klemp to authorize the County Counselor to contact the local law enforcement to investigate any missing documents the County has.

Motion passed, 3-0.

Commissioner Klemp indicated he would like to see a percentage of the Sheriff's budget cut for vacancies.

Mr. Loughry indicated the Board cannot cut a specific line item from the budget but can reduce by a percentage.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday August 7, 2018.

Motion passed, 3-0.

The 2018 Edward Byrne Memorial Justice Assistance Grant Interlocal Agreement was presented for approval and signature by the chairman.

A motion was made by Commissioner Klemp and seconded by Commissioner Holland to approve the 2018 Edward Byrne Memorial Justice Assistance Grant Interlocal Agreement.

Motion passed, 3-0.

David Lutgen requested approval to award bid to Bettis Asphalt for the paving of 150th Street between Stillwell Road and K-32 in the amount of \$278,490.00.

A motion was made by Commissioner Holland and seconded by Commissioner Klemp to award bid to Bettis Asphalt for the paving of 150th Street between Stillwell Road and K-32 in the amount of \$278,490.00.

Motion passed, 3-0.

Jeff Joseph requested direction from the Board to whether or not to send out request for proposals for the Leavenworth County Master Plan.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the request for qualifications as written.

Motion passed, 3-0.

Mr. Lutgen presented a list of road projects that are currently in the design build process that the Board requested to review for possible dust abatement projects.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the list of roads as dust abatement projects except for 235th Street; 163rd Street and 214th Street to notify the city of their input if there is not 50% participation then the roads will be dust abatement.

Motion passed 2-1 Commissioner Klemp voting nay.

Megan Waters presented the quarterly report for Adult Community Corrections.

Linda Lobb presented the quarterly report for Council on Aging.

Commissioner Smith attended the Alliance Against Family Violence walk, the Basehor work session and Republican Town Hall meeting.

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

Motion passed, 3-0.

The Board adjourned at 11:00 a.m.

*****August 14, 2018*****

The Board of County Commissioners met in regular session on Tuesday, August 14, 2018. Commissioner Smith and Commissioner Klemp; Commissioner Holland is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Debbie Cox, Acting Executive Secretary; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times, Keith Mark and Barbara Paulus representing Kris Kobach , Clyde Graeber Janice Van Parys, Linda Scheer, Mike Shultz, Deputy County Counselor.

Residents: Forrest Holdeman, Glen Berry, Joe Herring, Janette Labbee-Holdeman, John Matthews, A W Himpel, Gary Starcher, Ken Miller, Jan Hummell, Cassy Pennington, Crystal Blackdeer.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

David Van Parys introduced Mike Shultz as the new Deputy County Counselor.

County Administrator Mark Loughry will attend the Leavenworth/Lansing Chamber of Commerce meeting on Friday.

There were no OCBs.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the consent agenda for Tuesday, August 14, 2018. Commissioner Smith rescinded his motion.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the minutes and schedule for August 20, 2018.

Motion passed, 2-0.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the check register for Tuesday August 14, 2018 excluding the payment to Shawnee Mission Ford.

Motion passed, 2-0.

Commissioner Klemp opened public hearing on approval of county budget.

No one spoke in favor of or opposition to the budget.

Commissioner Klemp closed the public hearing.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the 2019 Leavenworth County Budget as presented.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to table the vote on the 2019 Leavenworth County Budget until after the Canvass.

Motion passed, 2-0.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to approve the payment to Shawnee Mission Ford because purchasing policy was followed.

Motion failed, 1-1.

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

Motion passed, 2-0.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to convene as the Board of County Canvassers and appoint Clyde Graeber to Board of County Canvassers

Motion passed, 2-0.

County Clerk Janet Klasinski requested a motion to accept the votes from the 2018 primary election. She reported a total of 11,578 votes counted in the unofficial results. She presented write-in results for four Township Clerks as well as two precinct committeewomen. She presented 209 provisional ballots and recommended qualification of 99 ballots and recommended non-qualification of 101 ballots for statutory reasons.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to accept the votes from the August 7, 2018 primary election as recommended by the County Election Officer. Second rescinded. Motion rescinded.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to accept the provisional ballots that the County Election Officer has presented to be opened.

Motion passed 3-0.

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

Motion passed, 3-0.

Commissioner Klemp called to order the 2nd session of the August 14 meeting of the Board of County Commissioners.

Commissioner Klemp inquired if the board can approve the budget without one department. The County Counselor advised the budget is a whole. The County Administrator addressed that the budget as presented is lower than the prior budget by .25 mil. It is the same as presented during work sessions.

A motion was made by Commissioner Klemp and seconded by Commissioner Smith to pass the Leavenworth County Other Funds Budget for the year 2019.

Motion passed, 2-0.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp table the remainder of the 2019 County Budget for 2019 until August 21st, at 9:15am.

Motion passed, 2-0.

Commissioner Smith attended the LCDC meeting at Leavenworth City and the Leavenworth County Beef Improvement Association dinner. The latter provides a lot of scholarships.

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

Motion passed, 2-0.

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

Motion passed, 3-0.

Janet Klasinski reported that the 99 qualified provisional envelopes were opened and run through the scanner. The total ballots counted in Leavenworth County for the 2018 August 7 primary is 11,677, 27% turnout.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to accept the August 7, 2018 election as presented by the County Election Officer.

Motion passed, 3-0.

A motion was made by Commissioner Smith and seconded by Commissioner Graeber to adjourn as the Board of Canvassers.

Motion passed, 3-0.

The Board adjourned at 11:13 a.m.

Final Approved

*****August 21, 2018*****

The Board of County Commissioners met in regular session on Tuesday, August 21, 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; Jamie Miller, EMS & Health Department Director; Michelle Westfall, EMS Training Administrator; Jeff Joseph, Planning and Zoning Director; Christa Mcgaha, Planner; Megan Waters, Adult Community Corrections Director; Larry Malbrough, Information Systems Director; Jeff Culbertson, GIS Director; Janet Klasinski, County Clerk; Linda Scheer, County Clerk's Office; David Lutgen, Public Works Director; Sarah Shafer, Public Works Deputy Director; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: Gary Starcher, Glen Berry, John Matthews, Joe Herring, AW Himpel, Ted Rea, Anita Gonzales, Crystal Blackdeer

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday August 14, 2018.

Motion passed, 3-0.

A motion was made by Commissioner Smith and to approve the 2019 Leavenworth County Operating Budget as presented.

The motion was seconded by Commissioner Holland for discussion.

Commissioner Holland questioned if the motion would include the vehicle purchases.

Commissioner Smith indicated the purchases were on the approved check register.

Motion passed, 3-0.

Megan Waters requested to approve the 2019 Carryover Reimbursements Plan collected through drug testing.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the 2019 Carryover Reimbursement Plan.

Motion passed, 3-0.

Planning and Zoning presented Case Number DEV-18-078, a temporary special use permit for the Buffalo Bill Century Bicycle Ride.

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 approve Case Number DEV-18-078, a temporary special use permit for the Leavenworth Bicycle Club; subject to all conditions.

Motion passed, 3-0.

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

Commissioner Smith inquired if delinquent tax lists could be put on the County website.

Mr. Malbrough indicated he could place that on the County website if provided a list.

Jamie Miller presented the quarterly report for the EMS Department.

Mr. Miller requested to recognize Michelle Westfall as receiving the Donald E White Educator of the Year Award which is a state achievement.

Mr. Miller presented the quarterly report for the Health Department.

Jeff Joseph presented the quarterly report for Planning and Zoning.

Sarah Shafer gave an update on the three sales tax projects to include 147th Street, Eisenhower Road and McIntyre Road and the PRP program projects.

Ms. Shafer indicated Rural Water District #1 is hindering ½ mile of Donahoo Road west of 155th Street and the Kelly Road, McPherson Road 119th Street loop projects and inquired if the Board would allow Public Works to move forward with these projects as dust abatements once easements are obtained.

It was the consensus of the Board to allow Public Works to move forward on the two projects.

David Lutgen reported on current bridge construction projects and county road projects.

Ms. Shafer updated the Board on safety and MARC call to projects items.

Commissioner Klemp requested a no commercial vehicles sign on 127th Street.

Commissioner Klemp requested how much the County has paid in dues to MARC and what monies the County has received from MARC in the past five years.

Mr. Lutgen reported on personnel and administrative items.

Jeff Culbertson presented the quarterly report for the GIS Department.

Commissioner Klemp requested staff to look into policies for mail in voting, depreciation and the use of unused salaries within departments.

Commissioner Smith inquired about the civil case with the city of Leavenworth.

David Van Parys indicated the city has until August 31st to file an amended petition.

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

Motion passed, 3-0.

The Board adjourned at 11:09 a.m.

Final Approved

*****August 28, 2018 *****

The Board of County Commissioners met in regular session on Tuesday, August 28, 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; Dan Gutshall, Leavenworth County Port Authority Chairperson

Residents: Joe Herring, John Matthews, Ken Meyer

Commissioner Klemp indicated he would like an executive session to discuss non-elected personnel.

A motion was made by Commissioner Klemp and seconded by Commissioner Smith to amend the agenda to have an executive session.

Motion passed, 3-0.

A motion was made by Commissioner Klemp and seconded by Commissioner Smith that this Board recess from open session and go into a closed executive session to discuss personnel matters of non-elected personnel as justified by K.S.A. 75-4319(b)(1) and that this Board resume open session in this meeting room at 6:10 p.m. Present in the executive session will be Commissioners Robert Holland, Louis Klemp Jr and Doug Smith, County Administrator Mark Loughry, Senior County Counselor David Van Parys, Director of Public Works David Lutgen and Assistant Director of Public Works Sarah Shafer and the County Clerk Janet Klasinski.

Motion passed, 3-0

Janet Klasinski is not available but David Van Parys indicated an amended motion was not needed.

The Board returned to regular session at 6:10 p.m.; no decisions were made in executive session.

Commissioner Klemp instructed legal staff to look into anything that is requested and has to be opened must to be done in the County Clerk's office with numerous participates.

David Van Parys clarified if the Board would like Court backing on the procedures and protocol handling of RFQ's and RFP's and department heads to follow protocol to avoid misunderstanding.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry indicated open enrollment for employees will begin August 31.

Mr. Loughry announced the Northeast Kansas Officials Meeting is scheduled for September 14 in Leavenworth.

Mr. Loughry indicated Planning and Zoning, GIS and Emergency Management are working with FEMA on the flood rating for the County.

Mr. Loughry reported the Employee Health Assessment is scheduled for November 2.

Mr. Van Parys reported the law firm Commissioner Smith is represented by is dissolving and requested authorization to enter into a new contract with the attorney to continue to represent Commissioner Smith.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp to authorize Mr. Van Parys to enter into the necessary agreement with David Hoffman and the general interest of the County.

Motion passed, 3-0.

A motion was made by Commissioner Holland and seconded by Commissioner Smith to approve the consent agenda for Tuesday August 28, 2018.

Motion passed, 3-0.

Dan Gutshall offered a presentation on an incentive program for industrial growth in Leavenworth County through the Leavenworth County Port Authority involving spec buildings.

A motion was made by Commissioner Smith and seconded by Commissioner Klemp that the Board recess from open session and go into a closed executive session for the preliminary discussion of the acquisition of real property as justified by K.S.A. 75-4319(b)(6) and that this Board resume open session in this meeting room at 7:05 p.m. Present in the executive session will be Commissioners Robert Holland and Doug Smith, County Administrator Mark Loughry and Senior County Counselor David Van Parys.

Motion passed, 3-0.

The Board returned to regular session at 7:05 p.m.; no decisions were made in executive session.

A motion was made by Commissioner Smith seconded by Commissioner Holland to authorize the Senior County Counselor to continue negotiations with the property owner.

Motion passed, 3-0.

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

Motion passed, 3-0.

The Board adjourned at 7:06 p.m.