

\*\*\*\*\*March 6, 2019 \*\*\*\*\*

The Board of County Commissioners met in regular session on Wednesday, March 6, 2019. Commissioner Smith, Commissioner Kaaz and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Krystal Voth, Planning and Zoning Deputy Director; Christa McGaha, Assistant Planner; Jamie Miller, EMS Director; Linda Lobb, Council on Aging Director; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times

Residents: John Matthews, Larry Van Fleet, Hank Spellman, Troy Smith, Chad Schimke, Curtis Oroke, Henry Springe, Shawn Wagner, Bruce Simpson, Nancy English, Bill Packwood, James and Amara Packwood, Jerry Hansen

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Mark Loughry requested to put the elected official's wages on for next week's agenda.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the consent agenda for Wednesday, March 6, 2019.***

***Motion passed, 3-0.***

Mr. Loughry presented a funding request from the American Legion to support their program.

Jerry Hansen, commander for the American Legion post 23, spoke about what the funds would be used for.

Janet Klasinski indicated in the past the request has been around \$5000.00 that goes to the American Legion to support the youth baseball programs.

Commissioner Culbertson indicated he would like to reach out to the Easton leagues or others who may not be aware this funding is available.

Mr. Hanson reported that they contributed \$2500.00 to the Easton team two years ago.

Commissioner Kaaz suggested a more formalized mechanism for application of funds.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve \$7,000.00 for the American Legion for baseball team expenses for 2019.***

***Motion passed, 3-0.***

Linda Lobb requested the signature of the chairman for grant awards for 2019.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the grant for Council on Aging.***

***Motion passed, 3-0.***

Jamie Miller requested the signature of the chairman to sign an application for aid to local grants to support the Health Department.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the grant for the Health Department.***

***Motion passed, 3-0.***

Planning and Zoning presented a request for a special use permit for Packwood Stables for 10 years with a change to the hours of operation extending to 10:00 p.m.

Commissioner Smith opened public hearing.

Shawn Wagner indicated the only opposition he has is to the position of the driveway which is directly across from his.

The applicant, Amara Packwood, addressed the driveway issue and people coming and going late at night.

Commissioner Smith closed public hearing.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve Resolution 2019-4 authorizing a special use permit for riding stables and tracks for Packwood Stables.***

***Motion passed, 3-0.***

Planning and Zoning presented a request for a special use permit for Henry Contracting, a contractor's yard.

Commissioner Smith opened public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed public hearing

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Resolution 2019-5, special use permit for Henry Contracting.***

***Motion passed, 3-0.***

Planning and Zoning presented a resolution for an application of a proposed amendment to the Leavenworth County Zoning and Subdivision regulations, to add sign shop to the table of uses.

Commissioner Smith opened public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed public hearing.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Resolution 2019-6, proposed amendment to the 2006 Leavenworth County Zoning and Subdivision regulations, Article 19.***

***Motion passed, 3-0.***

Planning and Zoning presented case number DEV-19-001, an application for a temporary special use permit for Brew to Brew, benefitting the cystic fibrosis foundation.

Commissioner Smith opened public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed public hearing.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve Case Number DEV-19-001, temporary special use permit for Brew to Brew relay run with a waiver of the application fee.***

***Motion passed, 3-0.***

Commissioner Smith attended the KDOT/KTA meeting on the belt highway on Friday indicating a feasibility study is being conducted.

Commissioner Smith also attended the Port Authority meeting, Basehor city council, the candidate forum in Tonganoxie and the Linwood City council meeting.

Commissioner Kaaz attended the candidate forum in Lansing last night, the mental health task force meeting, the Live Well group meeting and will travel to Topeka for a mental health legislative session next week.

Commissioners Smith and Kaaz attended the town hall meeting in Lansing on Monday night.

Commissioner Culbertson attended the Easton city council meeting on Monday. He indicated he is still getting phone calls on roads and reiterated it's been a bad winter and the roads will get fixed. He is also receiving calls about taxes going up.

The Board adjourned at 10:03 a.m.

## **RESOLUTION 2019-4**

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for Riding Stables and Tracks, Tally Ho Stables, on the following described property:

A tract of land in the East Half of the Southeast quarter of Section Twelve (12), Township Nine (9) South, Range Twenty-one (21) East, in Leavenworth County, Kansas more commonly known as 27703 187<sup>th</sup> Street

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 12<sup>th</sup> day of December, 2018, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 13<sup>th</sup> day of February, 2019; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 6<sup>th</sup> day of March, 2019, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 6<sup>th</sup> day of February, 2019, and incorporated herein by reference;

That Case No. DEV-18-109 Special Use Permit for Riding Stables and Tracks, Tally Ho Stables approved subject to the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be limited to the hours of 7AM until 10PM seven days a week.
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$1,169.73.
4. The SUP shall be limited to four employees other than business owners.
5. The total number of horses to be boarded at the site shall be limited to 40 at one time.
6. The applicant shall adhere to the following memorandums:
7. Chuck Magaha – Emergency Management, January 14, 2019.
8. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.

9. No on-street parking shall be allowed.

10. This SUP shall be limited to the Narrative dated December 12, 2018 submitted with this application.

11. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

located in Section 12, Township 9 Range 31, also known as 27703 187<sup>th</sup> Street, parcel no. 111-12-0-00-00-011.00 in Leavenworth County, Kansas.

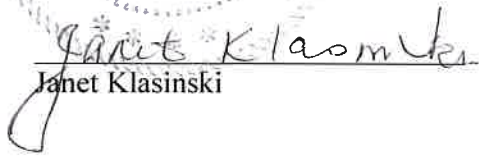
Adopted this 6<sup>th</sup> day of March, 2019  
Board of County Commission  
Leavenworth, County, Kansas

  
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Doug Smith, Chairman

  
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Jeff Culbertson, Member

  
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Vicky Kaaz, Member



  
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Janet Klasinski

## RESOLUTION 2019-5

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Contractor's Yard, Henry Contracting on the following described property:

**A tract of land in the Northeast ¼ of Section 6, Township 9 South, Range 22 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas, more commonly known as 28860 183<sup>rd</sup> Street.**

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 27<sup>th</sup> day of December, 2019, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 13<sup>th</sup> day of February, 2019; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 6<sup>th</sup> day of March, 2019, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 6<sup>th</sup> day of February, 2019, and incorporated herein by reference;

That Case No. DEV-18-110, Special Use Permit for a Contractor's Yard, Henry contracting approved subject to the following conditions:

1. The SUP shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 6AM to 5PM, Monday through Saturday.
3. There shall be no loading of equipment prior to 6:00 AM.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$309.37
5. The SUP shall be limited to four employees other than the applicant.
6. There shall be no storage of materials other than rebar and lumber outside of the existing shop.
7. The applicant shall adhere to the following memorandums:
  - a. Chuck Magaha – Emergency Management, January 14, 2019
8. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.

9. No on-street parking shall be allowed.

10. This SUP shall be limited to the Narrative dated December 27, 2018 submitted with this application.

11. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

located in Section 6, Township 9 Range 22, also known as 28860 183rd, parcel no. 103-06-0-00-00-019.00 in Leavenworth County, Kansas.

Adopted this 6<sup>th</sup> day of March, 2019  
Board of County Commission  
Leavenworth, County, Kansas

  
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Doug Smith, Chairman

  
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Jeff Culbertson, Member

  
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Vicky Kaaz, Member

  
ATTEST  
KANSAS  
  
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Janet Klasinski

**RESOLUTION 2019-6**

A resolution of the Leavenworth County Kansas Board of County Commission, to amend the following articles of the 2006 Zoning and Subdivision Regulations:

Article 19- Table of Uses

S = Special Use Permit	A = Allowed Use	R- Rural	R-1 One Fam	R-2 One Fam	R-3 Two Fam	R-4 Apt	B-1 Nghd Bus	B-2 Lim Bus	B-3 Genl Bus	I-1 Lim Ind	I-2 Lt Ind	I-3 Hvy Ind
Sign Shop		S							A	A	A	A

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the amendment of the Leavenworth County Zoning and Subdivision Regulations the 13<sup>th</sup> day of February, 2019; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the amendment be approved, as set forth; and

WHEREAS, the Board of County Commission considered, in session on 6<sup>th</sup> day of March, 2019, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 6<sup>th</sup> day of March, 2019 and incorporated herein by reference;

That the amendments listed herein be approved:


Adopted this 6<sup>th</sup> day of March, 2019  
Board of County Commission  
Leavenworth, County, Kansas

  
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Doug Smith, Chairman

  
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Jeff Cupbertson, Member

  
\_\_\_\_\_  
Vicky Kaaz, Member



  
\_\_\_\_\_  
Janet Klasinski



\*\*\*\*\*March 13, 2019\*\*\*\*\*

The Board of County Commissioners met in regular session on Wednesday, March 13, 2019. Commissioner Smith, Commissioner Kaaz and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Andy Dedeker, Leavenworth County Sheriff; Jim Sherley, Undersheriff.; Diana Smith, Veteran's Day Parade Committee; Charley Shoemaker, Executive Director of the Veteran's Day Parade Committee; Dave Breuer, Mayor of the city of Basehor; John Richmeier, Leavenworth Times

Residents: John Matthews, Glen Berry, James Seeman, Robert Holland, Jim & Tamara Copeland, Curtis Oroke, Joe Herring, Chad Schimke, Bill & Virginia Runnebaum, Hank Spellman, Troy Smith, Mike Stieben, John Marshall, Ray Runnebaum, Leo Runnebaum

**PUBLIC COMMENT:**

Tamara Copeland made public comment.

Robert Holland made public comment.

**ADMINISTRATIVE BUSINESS:**

Mark Loughry asked for clarification on which organizations to reach out to see about their funding sources.

Commissioner Culbertson commented any youth sports not subsidized by a city or a school.

Mr. Loughry reported there is a position on the Juvenile Corrections Advisory Board that will be up for term.

Commissioner Kaaz indicated she would serve on the Juvenile Corrections Advisory Board.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the consent agenda for Wednesday, March 13, 2019.***

***Motion passed, 3-0.***

Charley Shoemaker and Diana Smith requested a monetary donation for the 100<sup>th</sup> Anniversary Veteran's Day parade and spoke about the history of the Leavenworth County Veteran's Day parade and what the funds would be used for.

David Van Parys asked the Board to consider offering the committee to conduct sales of their items in the rotunda of the Courthouse.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve \$5,000.00 to the Veteran's Day Committee.***

***Motion passed, 3-0.***

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to offer the use of the Courthouse to sell Veteran's Day paraphernalia for the parade in the rotunda.***

***Motion passed, 3-0.***

David Van Parys presented a proposed resolution that would set the base salary of three elected officials to include the County Clerk, County Treasurer and the Register of Deeds.

Commissioner Culbertson felt there should be more discussion about removing the elected officials from the pay plan before setting the salaries.

Commissioner Kaaz commented that elected officials should not be in a pay plan but they should bring forward to the Board what they see appropriate for their compensation.

It was the consensus of the Board to request a work session on the salaries until after the new Commissioners are elected.

The Board adjourned at 9:53 a.m.

Final Approved

\*\*\*\*\*March 20, 2019\*\*\*\*\*

The Board of County Commissioners met in regular session on Wednesday, March 20, 2019. Commissioner Smith and Commissioner Kaaz are present; Commissioner Culbertson is absent; Mark Loughry, County Administrator is absent; Also present: David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Jeff Joseph, Planning and Zoning Director; Christa McGaha, Planner; Mike Spickelmier, Director of Public Works; Ken Miller, City of Lansing; Pat Barnhardt, Alcohol and Drug Council; John Richmeier, Leavenworth Times

Residents: Glen Berry, John Matthews, Troy Smith, Curtis Oroke, Larry Van Fleet, Joe Herring, Chad Schimke, Roger Williams, John McEvoy

Commissioner Kaaz indicated the Board will implement a public comment time restriction and read the policy.

PUBLIC COMMENT:

Joe Herring made public comment.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz asked to remove a bill from Lexeco and move it to next week.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Smith to approve the consent agenda for Wednesday, March 20, 2019 with the exception of the Lexeco bill.*

*Motion passed, 2-0.*

Pat Barnhardt recognized the council volunteers and requested approval of the recommendations of the Leavenworth County-cities Drug and Alcohol Abuse Council for 2019.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Smith to approve the recommendations by the Leavenworth County-Cities Drug and Alcohol Abuse Council.*

*Motion passed, 2-0.*

Janet Klasinski reported that there is an unexpired term for treasurer of the Delaware Township and received applications from Thomas Dials and Travis Hunsecker.

Commissioner Kaaz recommended Tom Dials to the township board.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Smith to approve Tom Dials to fill the empty seat of Delaware Township Treasurer.*

*Motion passed, 2-0.*

Planning and Zoning presented Case Number DEV-19-031, a temporary special use permit for Grinders Nationals.

Commissioner Smith opened public hearing

No one spoke in favor or opposition.

Commissioner Smith closed public hearing.

***A motion was made by Commissioner Kaaz seconded by Commissioner Smith to approve Case Number DEV-19-031, Grinder Nationals.  
Motion passed, 2-0.***

Commissioner Smith introduced Mike Spickelmier as the new Director of Public Works.

Discussion took place on a local service roads policy.

Glen Berry made comment.

Joe Herring made comment.

Larry Van Fleet made comment.

Mr. Van Parys suggested Planning and Zoning and Public Works review the policy and bring it back in mid April.

It was the consensus of the board to have Planning and Zoning and Public Works review the policy and reset on the agenda after the new commissioners are in office.

Commissioner Kaaz received a request from Nancy Bauder to be placed on the agenda for April 17 to give an update on the KCATA transportation board.

Ms. Klasinski invited entities to contact the County Clerk's office that are interested in requesting funds for youth recreational activities that are not school sponsored.

Ms. Klasinski reported she has sent notice to the historical societies with an April 15 deadline to turn in any funding requests.

Commissioner Smith recognized Ducks Carpet Cleaning for donating their services to clean the Alliance Against Family Violence building.

Commissioner Smith attended the LCDC meeting, St. Patrick's Day parades in Tonganoxie and Leavenworth, Tonganoxie City Council meeting and will attend the Basehor State of the City Address tomorrow.

Commissioner Kaaz attended the Leavenworth City Commission meeting, the Mental Health Task Force meeting, the St. Patrick's Day Parade and a legislative update sponsored by the Leavenworth/Lansing Chamber.

The Board adjourned at 9:47 a.m.

\*\*\*\*\*March 27, 2019\*\*\*\*\*

The Board of County Commissioners met in regular session on Wednesday, March 27, 2019. Commissioner Smith, Commissioner Kaaz and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Krystal Voth, Planner; Christa McGaha, Assistant Planner; Mike Spickelmier, Public Works Director; Kim Buchanan, Emergency Management; Janet Klasinski, County Clerk; Chad Schimke, Commissioner-Elect; Mike Stieben, Commissioner-Elect; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, Glen Berry, Brandon Sheehan, David Romisch

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Mark Loughry mentioned a payment to Lexeco was pulled from the consent agenda last week and will be handled separately.

Commissioner Smith mentioned the NACO discussion and wanted to make sure the commissioners-elect receive that information.

Commissioner Culbertson would like the public comment policy placed back on the agenda to discuss the time limit.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the consent agenda for Wednesday, March 27, 2019.***

***Motion passed, 3-0.***

Janet Klasinski requested approval on a purchase order form Lexeco that Commissioner Kaaz abstained from voting on last week.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Smith to approve the Lexeco bill from last week.***

***Motion passed, 2-0, Commissioner Kaaz abstained.***

Ms. Klasinski reported on the election from last night indicating the unofficial results show Chad Schimke as the commissioner for the 4<sup>th</sup> District and Mike Stieben for the 5<sup>th</sup> District.

Commissioner Smith recognized the candidates and commented it was a respectful race.

Mr. Loughry indicated there are vacancies on the MARC committee and requested to appoint Mike Spickelmier to those vacancies.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Mike Spickelmier to the Total Transportation Policy Committee, Highway Committee and the Kansas STP Priorities Committee for the Mid-America Regional Council.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-19-018, consideration of a temporary special use permit for Cool Hand Luke Gravel Grinder bike race with the applicant requesting to waive the \$100.00 application fee.

Commissioner Smith opened public hearing.

Brandon Sheehan spoke in favor of the permit.

No one spoke in opposition.

Commissioner Smith closed public hearing.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve Case Number 19-018 a temporary special use permit for Cool Hand Luke Gravel Grinder bike race and no waiver of the application fee; subject to all conditions.***

***Motion passed, 3-0.***

Planning and Zoning presented Case Number DEV-19-032, consideration of a temporary special use permit for the Bruce Edwards and Glenda Taylor Memorial Time Trial.

Commissioner Smith opened the public hearing.

Dave Romisch spoke in favor of the permit.

No one spoke in opposition.

Commissioner Smith closed the public hearing.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve Case Number DEV-19-032, a temporary special use permit for Bruce Edwards and Glenda Taylor Memorial Time Trial and to waive the application fee; subject to all conditions.***

***Motion passed, 3-0.***

Kim Buchanan presented a local disaster declaration resolution for approval by the Board due to the recent flooding.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve special Resolution 2019-1 for the disaster relief declaration.***

***Motion passed, 3-0.***

Commissioner Smith will attend the Leavenworth County Port Authority meeting today and the Basehor City Council meeting later in the evening. He will attend the Tonganoxie Business association dinner on April 2 and attended the MARC meeting yesterday.

Commissioner Kaaz will attend the Mental Health Task Force meeting tomorrow and attended the Lansing City Council meeting, the Live Well meeting and the Suicide Coalition meeting.

Commissioner Culbertson attended the Leavenworth City Council meeting and suggested a monthly update meeting on Millwood Road bridge.

Mr. Loughry indicated staff is working on documents to do a design bid process and will have weekly updates.

Commissioner Kaaz requested work sessions to discuss topics we have put on hold for the new Commission.

The Board adjourned at 9:34 a.m.

Final Approved