

*****June 5, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, June 5, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Stieben and Commissioner Schimke are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Andy Dedeke, Leavenworth County Sheriff; Jeff Joseph, Planning and Zoning Director; Krystal Voth, Planner; Mike Spickelmier, Public Works Director; Linda Lobb, Council on Aging Director; Vincent Grier, Road and Bridge Superintendent; Chris Collins, Fleet Supervisor; Tammy Saldivar, Transfer Station; Aaron Yoakum, Buildings and Grounds; Wayne Malnicof, County Surveyor; Ken Miller, City of Lansing; Harland Russell, LCDC President; Steve Jack, LCDC Executive Director; Lisa Haack, LCDC Ed Coordinator; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, AW Himpel, Janette Labbee-Holdeman, David Frese, Nancy Carpenter, Ken Massingill, Kris Roberts, Tony Baker, Jeannie Hazels, Lila White, Joanna Schultz, John Sanders, Lisa Weakley

PUBLIC COMMENT:

Joe Herring requested to put the Rock Ridge plat back on the agenda.

David Van Parys recommended the applicant should resubmit the plat to the Planning Commission.

Nancy Carpenter thanked all involved in the aftermath of the tornado and requested consideration of continuing a special use permit for a sand pit to the July meeting.

Mr. Van Parys reported the Planning Commission has the authority to continue the hearing.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to approve the consent agenda for Wednesday, June 5, 2019.

Motion passed, 5-0,

Mr. Loughry requested approval of a letter requesting authority over the leavenworthcounty.gov domain.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve a letter requesting authority over the leavenworthcounty.gov domain.

Motion passed, 5-0.

Andy Dedeke requested the chairman to sign the license agreement for antenna space for public safety communications located at Fort Leavenworth.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to authorize the chairman to sign the license agreement for antenna space for the Project P25 Compliant Public Safety Communications Systems located at the Fort Leavenworth Military installation.

Motion passed, 5-0.

John Matthews represented the Basehor Pride organization requesting funding in the amount of \$500.00 for the Basehor's Annual Independence Day Celebration.

Commissioner Schimke suggested to set a cap on the funding amount for future requests on firework displays.

Mr. Loughry suggested the Board authorize staff to award \$500.00 to any municipality for fireworks displays.

A motion was made by Commissioner Stieben and seconded Commissioner Kaaz to authorize \$500.00 for each municipality that has a fireworks display.

Motion passed, 5-0.

Mr. Loughry reported the Commission has budgeted \$50,000.00 for all museum funding indicating the requests far exceeds the budgeted amount.

It was the consensus of the Board to listen to each request before making a decision on funding amounts.

Joanna Schultz represented the Richard Allen Cultural Center and Museum with a funding request in the amount \$9,593.00.

Lila White represented the Basehor Historical Museum Society with a funding request in the amount of \$2,370.00.

John Sanders represented the First City Museum with a funding request in the amount of \$12,500.00.

Lisa Weakley represented the Leavenworth County Historical Society and Carroll House Museum in the amount of \$122,484.00.

Chris Roberts represented the Tonganoxie Community Historical Society with a funding request in the amount of \$7,000.00.

Jeannie Hazels represented the Fred Harvey Museum with a funding request in the amount of \$10,000.00.

Tony Baker represented the C.W. Parker Carousel Museum with a funding request in the amount of \$10,000.00.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to divide the amount available for the grants to the historical organization equally, however, for the two organizations that requested less to meet their request and divide the remaining equally.

Motion passed, 5-0.

Planning and Zoning presented Case Number DEV-19-062, consideration of a temporary special use permit for the Tonganoxie Library Run.

Commissioner Smith opened the public hearing.

David Frese spoke in favor of the permit.

No one spoke in opposition.

Commissioner Smith closed the public hearing.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to approve Case Number DEV-19-062, a temporary special use permit for the Tonganoxie Library Run.

Motion passed, 5-0.

Mr. Loughry presented the applicants for the Planning Commission positions.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to recommend Wolfgang Schmidt to the Planning Commission.

Commissioner Kaaz withdraws her motion and Commissioner Stieben withdraws his second.

It was the consensus of the Board to vote by a ballot.

Mr. Loughry reported that Wolfgang Schmidt, John Matthews and Teri Bartkoski all received top votes.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve the top three candidates Wolfgang Schmidt, John Matthews and Teri Bartkoski as the at large.

Motion passed, 5-0.

A second vote was taken to determine the final position.

Mr. Loughry indicated A.W. Himpel has the most votes.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to appoint A.W. Himpel to the Planning Commission.

Motion passed, 5-0.

Jeff Joseph announced the first Planning Commission meeting will be in July.

Linda Lobb presented the quarterly report for Council on Aging.

Jeff Joseph presented the quarterly report for Planning and Zoning.

Mike Spickelmier presented the quarterly reports for Public Works to include the Transfer Station, County Shop, Buildings and Ground, Fleet Maintenance and Noxious Weed.

Steve Jack presented the quarterly report for the Leavenworth County Development Corporation.

Commissioner Kaaz addressed a statement made by Senator Kevin Braun who commented at a legislative update that the county appraiser's and the county commissioners are inflating the valuation of properties to circumvent the tax lid indicating this is false information.

The Board adjourned at 12:59 p.m.

*****June 5, 2019 *****

The Board of County Commissioners met in a work session on Wednesday, June 5, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Mike Spickelmier, Public Works Director; Chuck Magaha, Emergency Management Director; John Richmeier, Leavenworth Times

Residents: None present

Discussion took place regarding the Leavenworth County Port Authority.

Staff will send the draft agreement to the city of Leavenworth for review.

Chuck Magaha gave an update on the recent tornado and damage.

Staff will look at contracting out the clean-up in compliance with FEMA reimbursement.

Staff will set a cut-off date for the debris removal after an evaluation.

Discussion took place regarding phasing of the Eisenhower Road project.

Staff will continue to work on the Eisenhower Road project with no changes.

Discussion took place regarding the Kansas Open Records Act.

Staff will draft an adjusted fee schedule for open records requests.

The work session ended at 3:14 p.m.

*****June 12, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, June 12, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Stieben and Commissioner Schimke are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jamie Miller, EMS/Health Department Director; Megan Waters, Community Corrections Director; Larry Malbrough, Information Systems Director; Ken Miller, City of Lansing; Jermaine Wilson, Mayor of Leavenworth; Todd Thompson, County Attorney; Nancy Theis, County Attorney Office Manager; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring, Curtis Oroke

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

David Van Parys indicated the parties that were involved in the fence viewing are working on an independent fence line agreement.

Mark Loughry reported the health insurance renewal came in with a 6% increase and is recommending accepting the proposal.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to authorize agreement with Blue Cross and Blue Shield of Kansas with the 6% increase for the health insurance for employees.

Motion passed, 5-0.

Commissioner Smith read a proclamation recognizing Elder Abuse Awareness day on June 15, 2019.

Commissioner Kaaz recused herself from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve the consent agenda for Wednesday, June 12, 2019.

Motion passed, 4-0, Commissioner Kaaz abstained.

Todd Thompson requested the approval of two new staff members.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve the budget adjustment.

Motion passed, 5-0.

Larry Malbrough requested approval to upgrade workstations to Windows 10 with funding coming from equipment reserve in the amount of \$53,600.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to authorize the expenditure of \$53,600.00 from the IS department equipment reserve funds.

Motion passed, 5-0.

Mr. Malbrough presented the quarterly report for the Information Systems department.

Jamie Miller presented the quarterly report for the EMS department.

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

Megan Waters presented the quarterly reports for Adult and Juvenile Community Corrections.

Commissioners Smith and Kaaz suggested recognizing the individuals and entities that assisted with the tornado with certificates or plaques.

Commissioner Culbertson attended the Easton City Council meeting and Leavenworth City Commission meeting.

The Board adjourned at 10:20 a.m.

Final Approved

*****June 12, 2019 *****

The Board of County Commissioners met in a work session on Wednesday, June 12, 2019 at The Guidance Center. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Linda Lobb, Council on Aging Director; David Ball and Jackie Davis, Council on Aging; John Richmeier, Leavenworth Times; Representatives from the city of Leavenworth, Basehor and Lansing were present as well as Fort Leavenworth, Cushing Hospital, Kansas City Kansas Community College, Kansas Department of Transportation, Mid America Regional Council, RideKC and KCATA

The Board attended a work session with local entities and members of the Kansas Department of Transportation, Mid-America Regional Council, Ride KC and KCATA to discuss the Leavenworth County Transit Plan.

It was the consensus of the members present to discuss options with their own entities and schedule a meeting within a month.

Keith Rickard presented a pre- budget overview of the services provided by the Guidance Center.

The work session ended at 3:30 p.m.

Final Approved

*****June 19, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, June 19, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Stieben and Commissioner Schimke are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Mike Spickelmier, Public Works Director; Bob Weber, County Appraiser; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: Joe Herring, AW Himpel

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported Leavenworth County has acquired the .gov domain.

Mr. Loughry will be working on scheduling a joint work session with the Planning Commission.

David Van Parys requested an executive session at the end of the meeting.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the consent agenda for Wednesday, June 19, 2019.

Motion passed, 4-0 Commissioner Kaaz abstained.

Mike Spickelmier requested to expend funds from the reserve account to upgrade the wireless link to the Transfer Station.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the expenditure from Solid Waste equipment reserve not to exceed \$11,000.00 for the replacement of the wireless link.

Motion passed, 5-0.

Bob Weber requested approval of an application for a tax credit to be applied against the 2019 taxes in the amount of \$2,732.00 for Tax I.D 1-13013.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve the disaster relief tax credit for 400 Brookwood Street, Tax I.D. 1-13013.

Motion passed, 5-0.

Mr. Weber requested approval of an application for tax abatement against 2019 taxes for Tax I.D. 1-28227 in the amount of \$10,057.00.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve abatement in the amount of \$10,057.00 for assessed value tax abatement Tax I.D. 1-28227.

Motion passed, 5-0.

Mr. Weber requested approval of an application for tax abatement against 2019 taxes for Tax I.D. 1-31941 in the amount of \$8,141.00.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve abatement in assessed value for Tax I.D. 1-31941 the amount of \$8,141.00.

Motion passed, 5-0.

Commissioner Smith suggested having staff set up at the Linwood Community Center to notify people of the disaster tax relief program that have been affected by the tornado.

Mr. Weber presented the quarterly report for the Appraiser's Office.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to move that the Board recess for a closed executive meeting for the discussion of pending litigation in which the County has, or may have an interest in, specifically Case number 2019-CV-0021 in the District Court for Leavenworth County, Kansas and Case number 2019-CV-2316 in the U.S. District Court for the District of Kansas, 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 Board resume open meeting at 10:10 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Schimke, Smith and Stieben, Senior County Counselor David Van Parys and County Administrator Mark Loughry.

Motion passed, 5-0.

The Board returned from executive session at 10:10 a.m.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to ratify actions taken by Mr. Van Parys to retain legal counsel to cause the filing of 2019-CV2316 in the U.S. District Court for the eastern district of Kansas for the representation of Leavenworth County in opioid litigation.

Motion passed, 5-0.

Commissioner Smith reminded everyone of the Mel Hedrick fishing derby this Saturday at Happy Hollow Lake.

Commissioner Stieben attended the Linwood City Council meeting last evening.

Commissioner Smith attended the Basehor City Council meeting.

Commissioners attended the Kansas Livestock Association meeting on June 13th.

The Board adjourned at 10:17 a.m.

*****June 26, 2019*****

The Board of County Commissioners met in regular session on Wednesday, June 26, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Stieben, and Commissioner Schimke are present. Also present: Mark Loughry, County Administrator; Debbie Cox, Acting Secretary; Mike Spickelmier, Public Works Director; John Richmeier, Leavenworth Times; Commissioner Smith read a statement from Vicky Kaaz regarding the hearing for Fire District No. 1. Commissioner Kaaz and Senior County Counselor David Van Parys are attending the court hearing.

Residents: John Matthews, Camalla Leonard, Joe Herring.

PUBLIC COMMENT: No public comment.

ADMINISTRATIVE BUSINESS:

Mark Loughry addressed an update to the public works holiday policy.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve the holiday policy change for Public Works.

Motion passed, 4-0.

Commissioner Smith discussed having a county vehicle assigned to the Road and Bridge Superintendent for after-hours calls. Mr. Spickelmier advised this is under consideration.

Mr. Spickelmier reported on tornado debris and fee waivers at the Transfer Station. He stated there is a need to distinguish between private and commercial debris as residents move into the next stage of recovery. Debris now at the Tonganoxie Quarry will need to be dealt with. One vendor has already expressed an interest in giving a price. Public Works department has been diligent in accounting for tornado related expenses. Mr. Loughry suggested the best option for covering the costs would be a temporary note issued before January 1. We will start looking at that in October when most of the costs have been incurred.

Mr. Spickelmier answered questions regarding striping on the dust abatement roads and commercial vehicle restrictions and provided an update on Bridge E-58 on Millwood Road. It is anticipated that an agreement will be on the agenda for next week for ratification. Four firms were pre-reviewed to meet minimum standards before interviewing the top two.

All three Dust Abatement groups are under contract and are to be completed this construction cycle. All contractors are interested in picking up the remaining PRP properties.

Commissioner Culbertson pointed out that if the tornado debris goes north, County Rd 30 could be designated as a haul route for FEMA.

Commissioner Schimke mentioned a letter from the City of Linwood praising Public Works staff and Emergency Management staff for their response to the May 28 tornado.

Commissioner Smith asked if NACO had options for medical bills at the jail. Mr. Loughry mentioned that the Sheriff had looked into some type of medical insurance to cover inmates and couldn't find anything.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the consent agenda for Wednesday, June 26, 2019.

Motion passed, 4-0.

Commissioner Schimke advised the public that Commissioners absence at the Comprehensive Planning meetings held in various locates is at the request of the consultants. Commissioners are interested and plan to attend meetings when acceptable.

Commissioner Kaaz and Senior County Counselor David Van Parys arrived from the court hearing.

Commissioner Stieben asked that citizens should all complete the survey available online as well as attend the public meetings as they are able.

Commissioners Smith requested an update on the missing personnel files. Senior County Counselor David Van Parys will seek an update from law enforcement on the progress of the investigation.

Commissioner Smith attended MARC meeting, Basehor City Council meeting.

Commissioner Kaaz attended the Leavenworth City Commission meeting and will attend the Alliance For Family Violence event this evening.

Commissioner Stieben attended the Sherman Township Fire department after-action meeting regarding the May 28 tornado.

Commissioner Schimke attended the Lansing City Council meeting and will be attending the LCDC meeting today as well as a meeting of the Institute of World Politics.

Mr. Loughry will be on a conference call this afternoon regarding a White House invitation to county officials for an event in July.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to adjourn.

The Board adjourned at 9:44 a.m.

*****June 26, 2019*****

The Board of County Commissioners met in a work session on Wednesday, June 26, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Stieben and Commissioner Schimke are present; Also present: Mark Loughry, County Administrator; Debbie Cox, Acting Executive Secretary; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring.

Discussion took place regarding scheduling of a joint meeting between the new Zoning Board and the Board of County Commissioners.

Staff was directed to move the meeting to August to allow the new Zoning Board to prepare for the meeting.

Discussion was held regarding agenda items for the joint meeting.

Discussion was held regarding the process for special use permits.

The work session ended at 11:20 a.m.

Final Approved