

*****November 6, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, November 6, 2019. Commissioner Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Schimke and Commissioner Stieben are present. Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Becky Matzeder, Executive Secretary; Jeff Joseph, Planning and Zoning Director; Janet Klasinski, County Clerk; Chuck Magaha, Emergency Management Director; Jim Sherley, Undersheriff; Bob Weber, County Appraiser; Pat Kitchens, Police Chief, Keith Rickard, The Guidance Center Director; Jerry McDonald, The Guidance Center; Mike Griswold, Mental Health Task Force; Kim Knight, Assistant Principal, Leavenworth High School; John Richmeier, Leavenworth Times

Other attendees: John Matthews, Joe Herring, Dannielle Wells, Thomas Rourke, Danielle Nichols, Dawn Weston, Katherine Jorgenson, Mike Parker, Pamela Campbell Burton, Sr. Vickie Perkins, Rebecca Davis, Diane Garlock, Lisa Nevins, Ruby Granlund, Catey Edwards, Matthew Ladd, Karen Curto, Carol Moher, Wes Cackler, Jacob Hanson, Dan Wessel, Kathryn Harier, Alexa Cackler, Sherry Reeves

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a request from the Veteran's Day Parade committee for the use of the south parking lot of the Justice Center.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve the Veteran's Day Committee request.

Motion passed, 5-0.

Mr. Loughry updated the Board on the County fundraiser for United Way indicating employees raised approximately \$6,000.00.

Commissioner Smith commented that in 2017 there was \$40,000.00 in the road and bridge budget for a shoulder machine and asked where that money went.

Mr. Loughry indicated the money would have been rolled over or spent on equipment.

Commissioners Kaaz and Smith will attend the 4-H council meeting on Saturday.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the consent agenda for Wednesday, November 6, 2019 as presented.

Motion passed, 5-0.

Commissioner Smith asked about an issue coming to the Planning Commission where a group of people are wanting to meet with each Commissioner and if that would be a serial meeting.

David Van Parys indicated that interaction between Commissioner via the group could be a serial meeting.

Bob Weber requested disaster tax relief on two parcels of property damaged by the tornado.

A motion was made by Commissioner Schinke and seconded by Commissioner Stieben to approve the disaster tax relief abatement for homes substantially destroyed by the May 28th tornado Tax I.D.'s 1-27185 in the amount of \$22,482.00 and Tax I.D. 1-32378 in the amount of \$4,031.00.

Motion passed, 5-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Board Order 2019-7.

Motion passed, 5-0.

Keith Rickard presented a proposal to place the question of mental health services on a ballot this spring offering financial reports for how much funding is needed.

Discussion took place about the cost of a special election versus the election in August.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben that the County Clerk be directed to draft a question for the August 2020 ballot regarding funding for mental health services.

Motion passed, 5-0.

Jeff Joseph presented a committee list to the Board that will look at adopting building codes for the County.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to form a building codes committee to look into recommended building codes for the County.

Motion passed, 4-1 Commissioner Culbertson voting nay.

Chuck Magaha gave an after- action review of the tornado that occurred on May 28th.

Commissioner Kaaz reported she was asked to serve on the Emergency Food and Shelter assistance advisory board.

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

Motion passed, 5-0.

The Board adjourned at 11:42 a.m.

BOARD ORDER 2019- 7

AN ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, KANSAS, MADE PURSUANT TO THE AUTHORITY GRANTED TO THEM UNDER K.S.A. 79-1613, MAKING CERTAIN FINDINGS REGARDING THE APPLICATIONS FOR THE ABATEMENT OF PROPERTY TAXES ON CERTAIN HOMESTEADS DAMAGED BY TORNADO

ON THIS 6th DAY OF NOVEMBER, 2019, this board, sitting in regular session, considered the applications of the owners of certain homesteads located in the county of Leavenworth for the abatement of property taxes on those homesteads due to the damage to the homesteads by tornado. The board, upon having considered the applications and made inquiry as to whether the properties listed in Exhibit "A", attached hereto and fully incorporated into this Order meet the requirements for the abatement of property taxes as allowed by K.S.A. 79-1613, makes the following findings:


1. That the properties listed in Exhibit "A" meet the definition of "Homestead" as set forth in K.S.A. 79-1613(a)(2) and are owned by the applicants.
2. That on the 28th day of May, 2019, the county of Leavenworth experienced a disaster, in the form of a tornado, which occurrence has been declared a disaster by the governor of the state of Kansas.
3. That the office of the Appraiser of the county of Leavenworth, Kansas, has inspected the homesteads listed in Exhibit "A" and made recommended findings to the board as to the extent of damage to the homesteads caused by said disaster and the appropriate corresponding abatement of property tax for each homestead so listed.
4. That the assessed valuation for each homestead listed in Exhibit "A" is accurate.
5. That the findings of the office of the Appraiser of the county of Leavenworth as set forth in Exhibit "A" are adopted by this board and fully incorporated into this Order and meet the requirements for the abatement of property taxes of those certain homesteads as provided for by K.S.A. 79-1613(d)
6. That the owners of the homesteads listed in Exhibit "A" are entitled under law to the abatement of property taxes on said homesteads in the amount listed in Exhibit "A".

WHEREFORE, it is the Order of this board that the property taxes on those homesteads listed in Exhibit "A" be abated in the amount shown in said exhibit and that the county clerk and county treasurer shall in each case of abatement correct their records in accordance with this Order and that the county clerk shall notify the governing body of any taxing district affected thereby.

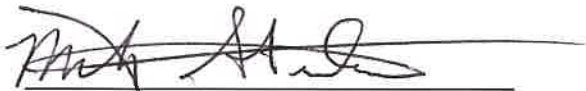
ORDERED THIS 6th DAY OF NOVEMBER, 2019.

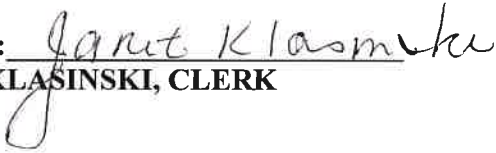

DOUG SMITH, CHAIR, 3RD DISTR.


JEFF CULBERTSON, 1ST DISTR.


VICKY KAAZ, 2ND DISTR.


CHAD SCHIMKE, 4TH DISTR.


MIKE STEIBEN, 5TH DISTR.

ATTEST: 
JANET KLASINSKI, CLERK



*****November 12, 2019 *****

The Board of County Commissioners met in regular session on Tuesday, November 12, 2019. Commissioner Smith, Commissioner Culbertson, Commissioner Schimke and Commissioner Stieben are present; Commissioner Kaaz is attending the KAC conference. Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Helen Klinkenberg, Deputy County Clerk; Ken Miller, City of Lansing; Sarah Bodenstiener, City Clerk for Lansing; John Richmeier, Leavenworth Times

Residents: Judy Wells, Joe Herring, Janette Labbee-Holdeman, Jesse and Brenda Garvey

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the consent agenda for Tuesday, November 12, 2019 as presented.

Motion passed, 4-0.

Janet Klasinski reported that Commissioner Kaaz appointed Judy Wells as her alternate for certifying the election.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to adjourn as the Board of Leavenworth County Commissioners and convene as the Board of County Canvassers.

Motion passed, 4-0.

Ms. Klasinski presented the results of the November 5th election with a 16.34% turnout.

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

Motion passed, 4-0.

Ms. Klasinski requested approval of auditing services from Varney and Associates.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to approve the auditing services for year end December 31, 2019, 2020 and 2021 from Varney and Associates.

Motion passed, 4-0.

Commissioner Smith attended the Basehor Chamber meeting, the 4-H achievement banquet and the Veteran's Day Parade.

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

Motion passed, 4-0.

The Board adjourned at 8:40 a.m.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to convene as the Board of County Canvassers.

Motion passed, 4-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the election results for the 2019 November 5 election.

Motion passed, 4-0.

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

Motion passed, 4-0.

The Board adjourned at 8:44 a.m.

Final Approved

*****November 20, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, November 20, 2019. Commissioner Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Lauren Anderson, Public Works Interim Director; Krystal Voth, Planning and Zoning Deputy Director; Janet Klasinski, County Clerk; Dave Arteberry, George Baum & Co.; Gina Reikhof, Gilmore & Bell; Steve Jack; Harland Russell, Lisa Haack with LCDC; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring, Kelly Angell, Bob Holland, Jeff Logan, Chris Collins, Terry and Diane Collins, Dan Marshall

PUBLIC COMMENT:

Dan Marshall spoke about the Planning and Zoning Department.

Jeff Logan asked about a letter requesting financial audits from the water districts.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a thank you letter for a contribution.

Commissioner Kaaz attended a session at the KAC conference that encouraged everyone to participate in the census.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve the consent agenda for Wednesday, November 20, 2019 as presented.

Motion passed, 5-0.

Dave Arteberry presented the results of the sale for the issuance of temporary notes.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Resolution 2019-29, authorizing and directing the issuance, sale and delivery of general obligation temporary notes, series 2019-1, of Leavenworth County, Kansas.

Motion passed, 5-0.

Krystal Voth gave the Board background information on Mr. Angell's request for the waiver of his traffic impact fee.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to approve a waiver of the traffic impact fee for a special use permit for Angell Excavating.

Motion passed, 5-0.

Chris Collins requested a waiver of costs for the improvement of a section of 195th Street.

Commissioner Smith indicated the issue is with the RIF taken from Kickapoo Township fund.

Joe Herring commented that the Pauley family donated additional right of way with no compensation.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the 10 foot of right of way that was donated in lieu of the amount owed.

Motion passed, 4-1 Commissioner Stieben voting nay.

Mr. Loughry on behalf of Solid Waste, requested an increase of \$2.00 per ton for municipal solid waste.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to authorize the Transfer Station to increase the MSW rates by \$2.00.

Motion passed, 5-0.

Lauren Anderson requested the extension of the contract for Olsson and Associates in an amount not to exceed \$35,000.00.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve additional expense on Olsson master agreement for professional services not to exceed \$35,000.00.

Motion passed, 5-0.

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

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben 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 12:10 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben, County Administrator Mark Loughry and Senior County Counselor, David Van Parys and others as may be invited by the Board.

Motion passed, 5-0.

The Board returned to regular session at 12:10 p.m. no decisions were made; topic was limited to non-elected personnel.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke 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 12:30 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben, County Administrator Mark and others as may be invited by the Board.

Motion passed, 5-0.

The Board returned to regular session at 12:30 p.m. no decisions were made; topic limited to non-elected personnel.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to adjourn until 1:30 p.m.

Motion passed, 5-0.

The Board adjourned at 12:31 p.m.

The Board reconvened at 1:30 p.m.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben 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 1:50 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben, County Administrator Mark Loughry and Senior County Counselor, David Van Parys and others as may be invited by the Board.

Motion passed, 5-0.

The Board returned to regular session at 1:50 p.m. no decisions were made and topic was limited to non-elected personnel.

Commissioner Kaaz recommended that counsel contact counsel for the fire district and reiterate the proposal that was presented at litigation.

It was the consensus of the Board to direct staff to contact the attorney representing the city and the townships.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke 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 2:15 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben, County Administrator Mark Loughry and Senior County Counselor, David Van Parys and other as may be invited by the Board.

Motion passed, 5-0.

The Board returned to regular session at 2:15 p.m. no decisions were made and topic was limited to non-elected personnel.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson that the Board recess from open session and go into a closed executive session for a preliminary discussion on 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 2:30 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben. Also present will be County Administrator Mark Loughry, Senior County Counselor David Van Parys and Aaron Yoakum.

Motion passed, 5-0

The Board returned to regular session at 2:30 p.m. no decisions were made and topic was limited to property acquisition.

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

Motion passed, 5-0.

The Board adjourned at 2:30 p.m.

*****November 20, 2019 *****

The Board of County Commissioners met in a work session on Wednesday, November 20, 2019. Commissioner Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Lauren Anderson, Public Works Interim Director;

Residents: Joe Herring

The Board held a work session to discuss a draft emergency call back policy.

Direction was given to staff to bring back a final emergency call back policy for the Board to adopt.

The Board held a work session to discuss a draft snow removal policy.

Direction was given to staff to bring back a final snow removal policy for the Board to adopt.

The Board held a work session to discuss the dust control forms and fees.

Direction was given to staff to reach out to Scottwood to see if they are interested in handling the entire process for dust control.

Direction was given to staff to draft a final policy on private roads.

The Board ended the work session at 3:45 p.m.

*****November 27, 2019 *****

The Board of County Commissioners met in regular session on Wednesday, November 27, 2019. Commissioner Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Vincent Grier, Road and Bridge Superintendent; Larry Malbrough, Information Systems Director; Stephanie Sloop, Planning Coordinator; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

The County Commission presented a check to United Way from the contributions made by County employees.

Commissioner Smith mentioned the Board is receiving several invitations to different events and suggested that only two Commissioners attend referring to the League of Women's Voters Holiday Tea.

Commissioner Kaaz and Commissioner Schimke will attend the Holiday Tea.

Commissioner Smith mentioned the Extension Council Annual meeting on December 9th.

A brief discussion took place about more than one Commissioner attending forums and events to avoid violating the open meetings policy.

Commissioner Smith indicated he won a gift card at the KAC conference and would like to donate it.

It was the consensus of the Board to donate it to the Alliance Against Family Violence.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve the consent agenda for Wednesday, November 27, 2019 as presented.

Motion passed, 4-0. Commissioner Kaaz abstained.

Larry Malbrough requested to accept a proposal from ConvergeOne for security services in the amount of \$19,510.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to accept the proposal from ConvergeOne for security services in the amount not to exceed of \$19,510.00.

Motion passed, 5-0.

Mark Loughry, on behalf of Buildings and Grounds, requested authorization to match funds for Courthouse restoration through the Heritage Trust Fund grant.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve the Heritage Trust Fund Grant.

Motion passed, 5-0.

Vincent Grier request approval of the emergency call back policy and the snow and ice removal policy.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve the emergency call back policy.

Motion passed, 5-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the policy of snow and ice removal.

Motion passed, 5-0.

Mr. Grier reported that brooms used to sweep roads after chip seal are all currently leased finding one company that rents for \$9,500.00 a month or another company that charges \$175 per hour but are not readily available.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to pick up a sweeper from CMW in St. Louis in an amount not to exceed \$9,500.00 per month.

Motion passed, 5-0.

Mr. Van Parys requested an executive session to discuss 2019CV21.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke that this Board recess for a closed executive meeting for the discussion of a matter involving the legal interests of the County in pending litigation in District Court Case 2019-21, 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 9:55 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 to regular session at 9:55 a.m. the topic was limited to the announced topic and no decisions were made.

Commissioner Stieben attended the Linwood City Council meeting and will be having a town hall and potluck in Linwood on December 19.

Commissioner Kaaz attended the City of Leavenworth tree lighting and Christmas parade.

Commissioner Schimke and Commissioner Kaaz will attend the city of Lansing's tree lighting on Sunday.

Commissioner Smith attended the Basehor City Council meeting, the township Board meeting indicating the topic was rent for the ambulance at the fire station. He also attended the tree lighting in Basehor and the MARC meeting.

Commissioner Kaaz inquired about the meeting schedule for the Christmas holiday.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to move the weekly meeting from December 25 to Monday, December 23 and also move the following week meeting scheduled for January 1 to Monday, December 30.

Motion passed, 5-0.

Commissioner Culbertson reported he is dealing with a new person on the FEMA lots in the city of Easton. He also indicated the city of Easton would like to put up solar panels to offset costs. He met with Workforce and is working on programs put in place for the homeless. He presented the Bridge 152 project to the city of Leavenworth indicating they would like to see a task force committee formed first.

The Board adjourned at 10:11 a.m.

Final Approved