

*****February 5, 2020*****

The Board of County Commissioners met in regular session on Wednesday, February 5, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Janet Klasinski, County Clerk; Larry Malbrough, Information Systems Director; Krystal Voth, Planning and Zoning Interim Director; Stacy Driscoll, Register of Deeds; Paul Kramer, Leavenworth City Administrator; John Richmeier, Leavenworth Times

Residents: John Matthews, AW Himpel, Joe Herring, Nancy Carpenter, Sarah Williams, Tony and Stacey Schmitt, Dan Hayes, Zach Copeland, Mark and Tracy Tinberg, Rich Pettibon, Pete Peterson, Joan Vandergriff, Kevin Otterman, Angie Morgan, Rick and Becky Schlagel, Debbie Steinmetz, Linda Koska, Jennifer Smith, Jessica McKinny Paula Jaskinia, Justin Joel

PUBLIC COMMENT:

Stacey Schmitt requested an evening meeting for Kaw Valley Sand.

Nancy Carpenter addressed the minutes from January 15, 2020 meeting.

Kevin Otterman commented about proper infrastructure and maintenance of the truck route of Kaw Valley Sand.

Rich Pettibon addressed the trucking route of Kaw Valley Sand and asked what is the vision for business development in Leavenworth County.

Paula Jaskinia commented that we should be discriminating about what kind of business is brought into the county and how it affects the people that live here.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported that no bids were received on the Bridge E-58 project indicating contractors who had expressed earlier interest have been contacted implying the timeline requirements were the issue. He requested approval to purchase the beams to expedite the process.

A motion was made by Commissioner Culbertson to receive a daily report from staff on the Bridge E-58 project.

Mr. Loughry indicated he felt like that was not a realistic request.

Motion dies for a lack of a second.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to order the girders.

Motion passed, 5-0.

David Van Parys reported the city of Leavenworth forwarded an amended Port Authority agreement with changes as to whom can cause the dissolution of the Port Authority and requested time to revisit with city staff.

Paul Kramer, City Administrator, indicated he felt we continue to work through this and presented a letter from Lansing in support of the change to the joint dissolution.

Janet Klasinski presented a resolution from the Delaware Township Board for petition to revoke joint board appointment of Fire District #1 board members.

Mr. Van Parys requested time to look over the documents presented.

Commissioner Culbertson requested a work session on Fire District #1 for next Wednesday.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve the consent agenda for Wednesday, February 5, 2020.

Motion passed, 5-0.

Commissioner Schimke asked about audio of the meeting.

Larry Malbrough reported the audio was cutting in and out two weeks ago and the camera has been replaced.

Mr. Malbrough requested the release of the RFQ for the county website design and asked the Board if they would like to provide feedback at this time.

It was the consensus of the Board to release the RFQ.

Krystal Voth presented Resolution 2020-7, a request for a rezoning from RR-5 to a RR-2.5. with a concern about the availability of water.

Commissioner Smith opened public hearing.

Joe Herring indicated if it platted 2.5 water would not be an issue.

No one spoke in opposition.

Commissioner Smith closed public hearing.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to approve Resolution 2020-7, authorizing a rezoning from RR-5 to RR 2.5 on Stillwell Road.

Motion passed, 4-1, Commissioner Kaaz voting nay.

Kaw Valley Sand requested to untable a proposed application for a special use permit.

Commissioner Stieben asked if the Planning and Zoning Department received the document that was given to the Board last week by Kaw Valley Sand.

Ms. Voth stated they have received everything within the document but not the document itself.

Commissioner Stieben asked what happens if they remove it from the table.

Mr. Van Parys suggested to set a date for a hearing on the application and a possible public hearing at that time and a appropriate notice period would have to be given with a suggested 60 day period. He indicated during that 60 days additional information could be submitted to the Board.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke approve the request from the applicant for Case Number DEV-19-008, Kaw Valley Sand and Gravel for placement of their pending request.

Commissioner Culbertson removed his motion.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the request from the applicant in Case Number DEV-19-008 Kaw Valley Sand and Gravel for placement of their pending request on April 15, 2020 at 6:30 p.m.

Justin Joel, attorney for Lenape Sand Quarry was available for questions.

Commissioner Smith inquired about ground water.

Mr. Joel indicated all governmental approvals have been received.

Commissioner Stieben asked if the applicant has contacted the Lenape drainage district.

Mr. Joel indicated he didn't think there was any direct communication and didn't think it was required.

Commissioner Stieben inquired traffic study with regards to the number of trucks on a residential road and asked if traffic counts over the last 10 years were considered.

Mr. Joel indicated additional studies were requested by staff and Olsson and have been submitted and approved.

Motion passed, 5-0.

The Board recessed for 10 minutes.

Mr. Van Parys indicated the executive session for litigation will not be needed.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz 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 11:30 a.m. Present in the executive session will be Commissioners Culbertson, Kaaz, Smith, Schimke and 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 resumed open session at 11:30 a.m. Topic was limited to non- elected personnel; no decisions were made.

Commissioner Stieben attended the Tonganoxie City Council meeting and the Linwood City Council meeting.

Commissioner Schimke attended the Lansing City work session where the discussion was building permits.

Commissioners Smith and Schimke will attend the LCDC meeting.

Commissioner Smith indicated there is a renewable energy work session in Seneca on Monday.

Commissioners Smith and Stieben Lincoln Day dinner.

Commissioner Kaaz attended the Mental Health Task Force meeting, the celebration for Black History month and the Delaware Township Board of Trustees meeting.

Commissioner Smith received an email about a minimal maintenance road on Donahoo east of 155th Street.

Commissioner Culbertson went to the Chamber meeting and the City of Easton Council meeting. They are asking about cost sharing on Cemetery Road.

Commissioner Schimke reported that the City of Lansing is doing a study for a stoplight at Gilman Rd.

Commissioner Stieben reported the city of Tonganoxie did not attend the meetings for County Road 1 and they will be reviewing the zoning definitions.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to adjourn.
Motion passed, 5-0.***

The Board adjourned at 11:44 a.m.

The Board reconvened at 1:01 p.m.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson 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 1:30 p.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Chad Schimke and Mike Stieben, County Administrator Mark Loughry and Senior County Counselor, David Van Parys and others as may be invited by the Board.

Motion passed, 5-0.

The Board returned from executive session. Discussion was to limited to non- elected personnel; no decisions were made.

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 1:45 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 from executive session at 1:45 p.m. Topic was limited to non-elected personnel; no decisions were made.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to adjourn.
Motion passed 5-0.***

The Board adjourned at 1:45 p.m.

RESOLUTION 2020-07

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential-5 to Rural Residential-2.5 on the following described property:

A tract of land in the Southwest Quarter of Section 32, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest Corner of said Southwest Quarter; thence North 01 degrees 31'02" West for a distance of 1067.75 feet along the West line of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence North 01 degrees 31'02" West for a distance 1576.15 feet along the West line of said Southwest Quarter; thence North 88 degrees 38'54" East for a distance of 2638.22 feet along the North line of said Southwest Quarter; thence South 01 degrees 39'43" East for a distance of 2262.81 feet along the East line of said Southwest Quarter to the North right of way line of Kansas Highway 32 (Linwood Road); thence South 36 degrees 30'04" West for a distance of 492.94 feet along said right of way to the South line of said Southwest Quarter; thence South 88 degrees 50'49" West for a distance of 1606.58 feet along said South line; thence North 01 degrees 09'11" West for a distance of 449.86 feet; thence North 37 degrees 36'19" West for a distance of 770.39 feet; thence South 88 degrees 28'58" West for a distance of 282.85 feet to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 144.4 acres, more or less including road right of ways, in Leavenworth County, Kansas more commonly known as 00000 Stillwell Road.

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 21st day of November, 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 Rezoning on the 8th day of January, 2020; 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 Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 5th day of February, 2020, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners 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 Commissioners in regular session on the 5th day of February, 2020, and incorporated herein by reference;

That request for rezoning as described above, also known as 00000 Stillwell Road, Parcel Identification Number 189-32-0-00-00-005.00, is hereby granted.

Adopted this 5th day of February, 2020
Board of County Commission
Leavenworth, County, Kansas




Doug Smith, Chairman



Jeff Culbertson, Member



Vicky Kaaz, Member

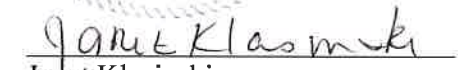


Chad Schimke, Member



Mike Stieben, Member





Janet Klasinski

*****February 5, 2020*****

The Board of County Commissioners met in a work session on Wednesday, February 5, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Krystal Voth, Planning and Zoning Interim Director; Stephanie Sloop, Planning Coordinator; Becky Matzeder, Executive Secretary

Residents: AW Himpel, John Matthews, Sarah Williams, Joe Herring

A work session was held to discuss the Comprehensive Plan.

Direction was given to staff encourage RR-2.5 zoning along hard surfaced roads.

Direction was given to staff to remove the internet part out of the comprehensive plan and remove sections 6 and 8.

Direction was given to staff to not change current RR-2.5 zoning to RR-5.

Direction was given to staff to ensure industrial zoning was not changed.

The Board ended the work session at 1:01 p.m.

Final Approved

*****February 12, 2020*****

The Board of County Commissioners met in regular session on Wednesday, February 12, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, County Counselor; Todd Thompson, County Attorney; Tim Vandall, Lansing City Administrator; Todd Farley, Fire Chief; Pamela Campbell-Burton, Attorney at Law; Stacy Driscoll, Register of Deeds; Becky Matzeder, Executive Secretary; John Richmeier, Leavenworth Times

Residents: Donna Gillett, Joanne Aaron, Nancy Carpenter, Sarah Williams, John Matthews, Tom Dials, Pat Proctor, AW Himpel, Joe Herring, Ralph Wiggins, Rich Pettibon, Angie Morgan, Judy Wells, Connie O'Brien, Janette Labbee-Holdeman, Ben Morgan, Greg and Dana Fontenot, Amy Locher, Andi Pawlowski, Tony Schmitt, Dan Butler

PUBLIC COMMENT:

Ralph Wiggins, Rich Pettibon, Angie Morgan, Sarah Williams, Nancy Carpenter made public comment.

Pat Proctor withdrew his application from the Judicial Nominating Committee position.

Donna Gillett made public comment.

Todd Thompson made public comment.

ADMINISTRATIVE BUSINESS:

Mark Loughry reminded everyone the Courthouse will be closed Monday for President's Day.

Commissioner Smith requested the Commission set guidelines on how to conduct the April 15th meeting.

Commissioner Schimke wanted to make sure to prioritize one comment per household.

Commissioner Stieben indicated he would like to prioritize within the 1,000 feet with no time limit.

David Van Parys stated the purpose of a public hearing is to create a public record and encouraged written statements and email to be submitted.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the consent agenda for Wednesday, February 12, 2020 as presented.

Motion passed, 5-0.

Connie O'Brien spoke about why she applied to the Judicial Nominating Committee with concern about children in the justice system.

A motion was made by Commissioner Kaaz to reappoint Lois Meadows to the judiciary selection committee.

Motion dies for a lack of a second.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to vote on ballot.

Motion passed, 5-0.

Mr. Loughry read the results of the ballot indicating Lois Meadows received three votes and Connie O'Brien received two votes.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to appoint Lois Meadows as the appointee to the Judicial Nominating Committee.

Motion passed, 5-0.

Commissioner Smith presented the Commission information about senate bills and will be attending Topeka tomorrow.

Commissioner Stieben testified before the senate assessment and taxation committee about the outbuilding legislation.

Commissioner Schimke attended the Lansing City Council meeting last week and met with Senator Braun about road projects and funding.

Commissioner Kaaz will attend the LCDC meeting tomorrow and League of Women Voters meeting on Saturday. She will also attend the Mental Health Task Force meeting next week.

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

Motion passed, 5-0.

The Board adjourned at 10:09 a.m.

*****February 12, 2020 *****

The Board of County Commissioners met in a work session on Wednesday, February 12, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Stacy Driscoll, Register of Deeds; Todd Farley, Fire Chief; Tim Vandall, Lansing City Administrator; John Richmeier, Leavenworth Times

Residents: John Matthews, Janette Labbee-Holdeman, Tom Dials, AW Himpel, Joe Herring, Joanne Aaron, Pamela Campbell-Burton, Greg Robinson, Greg and Dana Fontenout, Rick Huhn, Andi Pawlowski, Rob Gaslin

A work session was held to discuss Fire District #1.

David Van Parys presented the Board an outline of any legal standing issues and proposed options.

Tom Dials, Rob Gaslin, Greg Fontenout, Tim Vandall, Andi Pawlowski, Rick Huhn, Todd Farley, Pamela Campbell-Burton and Greg Robinson all commented during the work session.

Commissioners Kaaz and Schimke will meet with the Lansing City Administrator and the townships and will come back to the Board next week.

The Board ended the work session at 12:36 p.m.

*****February 19, 2020 *****

The Board of County Commissioners met in regular session on Wednesday, February 19, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Lauren Anderson, Public Works Interim Director; Janet Klasinski, County Clerk; Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: John Matthews, Joanne Aaron, Nancy Carpenter, Sarah Williams, Tracy Tinberg, Alan Anderson, Brittany Bruce, Ben Morgan

PUBLIC COMMENT:

Tracy Tinberg made public comment.

Nancy Carpenter made public comment.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz asked for clarification of the outcome of the Fire District work session regarding the administration of the Fire District and the ability of Chief Farley to maintain the operations during the interim.

David Van Parys reported that Chief Farley has the authority as he did before to continue operations.

Commissioners Schimke and Kaaz have a work session regarding the Fire District this Friday.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the consent agenda for Wednesday, February 19, 2020 as presented.

Motion passed, 5-0.

Lauren Anderson requested approval of a road use and maintenance agreement with Soldier Creek Wind for a substation at Bauserman Road and 195th Street.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve the road use and maintenance agreement with Soldier Creek Wind, LLC.

Motion passed, 5-0.

Janet Klasinski presented a resolution adopting the budget and property taxation of the County for mental health services.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve Resolution 2020-8, adopting the budget and property taxation of the County of Leavenworth for the year 2021.

Motion passed, 5-0.

Mr. Loughry requested approval of five personnel policies that the Board discussed in a work session last week.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve the five personnel policies as presented by the County Administrator.

Motion passed, 5-0.

Commissioner Smith met with Senator Braun on Friday and will attend Basehor's State of the City Address tomorrow.

Commissioner Stieben indicated Congressman Watkins will be at 1866 in Tonganoxie for the Elephant Club at 6:30 p.m.

Commissioner Culbertson will be meeting with Congressman Watkins tomorrow at 4:00 p.m.

Commissioners Kaaz, Smith, Schimke and Stieben attended the Comprehensive Plan open house last night.

Commissioner Culbertson met with Willie Dove about the CBD Coalition.

Commissioner Kaaz reported there was not a work session for the city of Leavenworth last night.

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

Motion passed, 5-0.

The Board adjourned at 10:06 a.m.

RESOLUTION NO. 2020 - 8

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, ADOPTING THE BUDGET AND PROPERTY TAXATION OF THE COUNTY OF LEAVENWORTH FOR THE YEAR 2021.

Whereas, K.S.A. 79-2925c, and amendments thereto, provide that a levy of property taxes to finance the 2021 budget of the County of Leavenworth, Kansas, that exceeds the amount levied for the 2020 budget must be authorized by a resolution adopted in advance of the passing of a budget supported by such levy; and

Whereas, K.S.A. 79-2925c, as amended, also provides that current year revenue that is produced and attributable to the taxation of (1) new improvements; (2) increased personal property valuation other than mobile homes; (3) property located with added jurisdictional territory; (4) property which has changed in use; shall not be considered when determining whether revenue produced from property tax has increased from the preceding year; and

WHEREAS, the budget of the County of Leavenworth has been deemed inadequate to fund many of the services and needs requested by the residents of the county; and

WHEREAS, it is necessary to increase the amount of public funds to provide adequate funding for the 2021 Budget for Mental Health Services in the County.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE COUNTY OF LEAVENWORTH that a levy of property taxes in support of the 2021 budget, exceeding the amount levied in 2020 and adjusted pursuant to K.S.A. 2925c as amended, in an amount not to exceed \$1,164,100.00 for Mental Health Services in the County is hereby approved.

PASSED AND APPROVED BY THE GOVERNING BODY THIS 19 day of February, 2020.



Doug Smith, Chair



Jeff Culbertson, Member




Vicky Kaaz, Member



Chad Schimke, Member



Mike Stieben, Member

ATTEST: 

Janet Klasinski, County Clerk



*****February 19, 2020*****

The Board of County Commissioners met in a work session on Wednesday, February 19, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Andy Dedeke, Leavenworth County Sheriff; Jim Sherley, Undersheriff; Lt. Eric Thorne, Jamie Miller, EMS Director; Krystal Voth, Planning and Zoning Interim Director; Stacy Driscoll, Register of Deeds; John Richmeier, Leavenworth Times

Residents: John Matthews, Crystal Swan Blackdeer, AW Himpel, Joe Herring

A work session was held to discuss a possible resolution that requires rabies vaccinations.

It was the consensus to make no changes at this time.

The Board ended the work session at 2:07 p.m.

Final Approved

*****February 19, 2020 *****

The Board of County Commissioners met in a work session on Wednesday, February 19, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Stacy Driscoll, Register of Deeds, John Richmeier

Residents: John Matthews, Joe Herring, AW Himpel

A work session was held to discuss a draft policy regarding accessory dwelling units, compliance deposits, floodplain development permit fees and status of parcel letters fees.

Direction was given to staff to bring policies back to the Commission for approval.

The Board ended the work session at 2:37 p.m.

Final Approved

*****February 26, 2020*****

The Board of County Commissioners met in regular session on Wednesday, February 26, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, County Counselor; Becky Matzeder, Executive Secretary; Lauren Anderson, Public Works Interim Director; Krystal Voth, Planning and Zoning Interim Director; Andy Dedeke, Leavenworth County Sheriff; Jim Sherley, Undersheriff, Eric Thorne, John McEvoy, Wendy Dedeke, Bob Weber, County Appraiser, Kim Buchanan, Stephanie Sloop, Ken Miller, City of Lansing; John Richmeier, Leavenworth Times

Residents: John Matthews, Ed Irvine, Ralph Wiggins, Joe Herring, Ben Morgan, Tom Baughman, Tracy Tinberg, Michael Hampton, Bob Hamilton, Wade Heim, Nancy English, John Anderson, Ben Morgan, Nancy Carpenter, Sarah Williams, Stacey Schmitt, Ron Facklam

PUBLIC COMMENT:

Ben Morgan, Tom Baughman, Ralph Wiggins, Tracy Tinberg, Nancy Carpenter, Ed Irvine, Michael Hampton, Sarah Williams and Joe Herring made public comment.

ADMINISTRATIVE BUSINESS:

Bob Hamilton presented the Traffic Safety Award to the Leavenworth County Sheriff's Department.

Lauren Anderson requested approval of the high risk rural roads application for signage only.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve project funding application for the fiscal year 2022 high risk rural roads.

Motion passed, 5-0.

Commissioner Smith asked how to handle the American Legion funding request.

Mark Loughry indicated the County Clerk is sending notice to all that applied for funding last year and will be on the agenda May 6 for any approvals.

The Board members discussed the guidelines for the public hearing on April 15th and will be on the agenda for March 11th for approval.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, February 26, 2020 as presented.

Motion passed, 5-0.

Andy Dedeke requested authorization to sign the financing agreement with Motorola for required upgrades.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve the Sheriff's request to approve the financing for the upgrade to the current radio system with the 3 year option in the amount of \$498,092.00 at 2.78% interest equaling three payments \$173,586.16.

Motion passed, 5-0.

Kim Buchanan and Stephanie Sloop requested the adoption and forwarding of the 2020 Solid Waste Committee member changes to KDHE.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Bobby Hancock to the Solid Waste Committee replacing Mr. Brilliantine.

Motion passed, 5-0.

Ms. Buchanan requested to the Board to approve the schedule for the Leavenworth County wide clean up.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve one free trip during January 1 to December 31.

Motion passed, 5-0.

Ms. Anderson requested the approval of a change order to extend construction inspection services with Benesch for McIntyre Road in an amount not to exceed \$22,000.00.

Wade Heim spoke on behalf of Benesch.

The Board requested more information report that shows how many extra days the contractors were on sight and reports on the inspection services.

Ms. Anderson requested approval of a revision to the 2020 dust control form with adding a limit of 4 miles or 6 property location changes.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve the 2020 dust control form revision one.

Motion passed, 4-1, Commissioner Schimke voting nay.

David Van Parys indicated a public hearing is not required for a temporary special use permit.

Krystal Voth presented case number DEV-20-004, a temporary special use permit for Brew to Brew indicating staff has denied the permit due to concerns from the Sheriff.

Commissioner Smith opened public hearing.

Nancy English, John Anderson and Ron Facklam spoke in favor of the permit.

Sheriff Dedeke spoke about the issues and concerns that occurred at last year's race.

Commissioner Smith closed public hearing.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to deny Case Number DEV-20-004, a temporary special use permit for Brew to Brew.

Commissioner Culbertson suggested to table the case so the applicant can work with the Sheriff to address the concerns.

Undersheriff Sherley commented it is a collective decision and reiterated there have been issues in the past.

Motion passed, 3-2 Commissioner Schimke and Culbertson voting nay.

Ms. Voth requested to amend the Planning and Zoning Fee Schedule and the adoption of accessory dwelling units policy.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to amend the planning and zoning fee schedule to include a fee of \$800.00 for accessory dwelling units and a fee of \$100.00 for floodplain development permits.

Motion passed, 5-0.

Bob Weber requested approval of two tax relief abatements due to tornado.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to approve the attached resolution granting tax abatement for homes substantially destroyed in the May 28th tornado, Board Order 2020-2.

Motion passed, 5-0.

Mr. Weber discussed the 2020 change of value notices that will be mailed out no later than March 1, 2020.

Commissioner Smith attended the State of the City meeting for Basehor, the FFA fundraiser on Saturday, the MARC meeting yesterday and will attend the Basehor City Council meeting tonight and Fairmount Township meeting tomorrow night.

Commissioners Schimke and Kaaz met with the City of Lansing about Fire District #1.

Commissioners Kaaz and Schimke will be out of town on the proposed date for the Fire District Joint Board to meet and asked if someone could attend. Commissioner Smith indicated he could be present for the meeting.

Commissioner Kaaz attended the Leavenworth City Commission meeting, the Mental Health Task Force, Live Well Suicide Coalition meeting and a conference call with Workforce yesterday.

Commissioners Culbertson and Schimke will travel to Washington D.C. March 2-March 4.

Commissioner Stieben reported on House Bill 2517.

The Board adjourned at 12:09 p.m.

BOARD ORDER 2020- 2

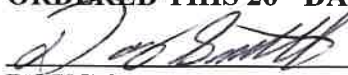
AN ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, KANSAS, MADE PURSUANT TO THE AUTHORITY GRANTED TO THEM UNDER K.S.A. 79-1613, MAKING CERTAIN FINDINGS REGARDING THE APPLICATIONS FOR THE ABATEMENT OR CREDIT OF PROPERTY TAXES ON CERTAIN HOMESTEADS DAMAGED BY EARTHQUAKE, FIRE,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

ON THIS 26th DAY OF FEBRUARY, 2020, this board, sitting in regular session, considered the applications of the owners of certain homesteads located in the county of Leavenworth for the abatement or credit of property taxes on those homesteads due to the damage to the homesteads by earthquake, fire, flood, storm or 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 or credit 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 the properties listed in Exhibit "A" were destroyed by earthquake, fire, flood, storm, or tornado in 2019.
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 or credit 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 or credited in the amount shown in said exhibit and that the county clerk and county treasurer shall in each case of abatement or credit 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 26th DAY OF February, 2020.


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


By Helmut Konberg



Exhibit A

Qref	Tax ID	Owner	House Value	Cost to Repair / Replace	% Damage	House Assessed Value	Abatement %	Abatement Amount House
R29460	1-22299	Perry, Janet S; Trust	\$487,260	\$450,000	92%	\$56,035	60%	\$33,621
R29684	1-20225	Clisso, John E & Glenda J	\$238,510	\$124,529	52%	\$27,429	60%	\$16,457

*****February 26, 2020*****

The Board of County Commissioners met in a work session on Wednesday, February 26, 2020. Commissioner Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Schimke and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Becky Matzeder, Executive Secretary; Brandon Scott, Enterprise Fleet

A work session was held with Enterprise Fleet about the possibility of leasing vehicles for the County.

It was the consensus of the Board to place the discussion item on the agenda.

The Board ended the work session at 2:23 p.m.

Final Approved