

*****December 2, 2020*****

The Board of County Commissioners met in a regular session on Wednesday, December 2, 2020. Commissioner Schimke, Commissioner Stieben, Commissioner Kaaz and Commissioner Culbertson are present; Commissioner Smith is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Jared Clements, Planner II; Bill Noll, Infrastructure and Construction Services; Paul Kramer, Leavenworth City Manager; Greg Kaaz, LCPA; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews

***A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Mike Stieben as temporary chair.
Motion passed, 5-0.***

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry requested approval of an oversight of an application that had been moved into the normal budget request but it was for the CARES Act Funding from the Tonganoxie Community Historical Society in the amount of \$6,400.00.

***A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to approve up to \$6,400.00 for the Tonganoxie Community Historical Society.
Motion passed, 5-0.***

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the consent agenda for Wednesday, December 2, 2020 as presented.
Motion passed, 5-0.***

Jared Clements presented Resolution 2020-47, a request for a special use permit for an agriculturally-related business.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve Resolution 2020-47, a special use permit for James Rutledge's agriculturally related rental barns
Motion passed, 5-0.***

Bill Noll presented a request for a feasibility study for the Eastern Gateway Bridge project.

Greg Kaaz spoke about how the Port Authority could work with county staff for a transportation study.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the proposal by Arup to conduct a feasibility study for Eastern Gateway Bridge in an amount not to exceed \$100,000.00.
Motion passed, 5-0.***

Mr. Noll requested to retain outside legal counsel for the Eastern Gateway Bridge project.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to engage legal counsel provided by Ballard and Spahr for Eastern Gateway Bridge project not to exceed \$75,000.00.

Motion passed, 5-0.

Mr. Noll presented a change order for a stop light at the intersection at the 20th and Eisenhower Street intersection.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to consider the change order and contract agreement to add alternate #2 to the stop light intersection of 20th and Eisenhower during the construction of Eisenhower Road previously accepted low bid in contract with King's Construction Company not to exceed \$260,950.00.

Motion passed, 4-1 Commissioner Stieben voting nay.

Mr. Noll requested approval of bid pricing for a new salt brine making unit for \$64,674.00.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve bid pricing for one new salt brine making unit for Road and Bridge not to exceed \$64,674.00.

Motion passed, 5-0.

Commissioner Schimke attended the Port Authority meeting via Zoom.

Commissioner Schimke announced Fire District #1 has a new fire chief.

Commissioner Stieben indicated there was another fatality accident occurred at 158th St. and K-32 and will be meeting with citizens.

Commissioner Kaaz participated in a Governor's conference call, the annual NAACP meeting, Workforce Partnership meeting and a Rural Leavenworth County Inc. meeting all via Zoom.

Mr. Loughry reported all CARES Act grant funding needs to be spent by December 15th, 2020.

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

Motion passed, 5-0.

The Board adjourned at 10:20 a.m.

*****December 2, 2020*****

The Board of County Commissioners met in a work session on Wednesday, December 2, 2020. Commissioner Stieben, Commissioner Schimke, Commissioner Culbertson and Commissioner Kaaz are present; Commissioner Smith is present by phone; Also present: Mark Loughry, County Administrator; Aaron Yoakum, Buildings and Grounds Director

A work session was held to discuss Cushing Hospital.

Direction was given to staff to start working internally to identify department needs and draft an RFQ for architectural firms for the assessment of the first floor.

The Board ended the work session at 11:13 a.m.

Final Approved

*****December 9, 2020*****

The Board of County Commissioners met in a regular session on Wednesday, December 9, 2020. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz and Commissioner Culbertson are present; Commissioner Schimke is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor;

Residents: John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported budget amendments will be on the agenda for December 23rd.

Mr. Loughry updated the Board on the CARES Act Funding in regards to townships indicating if they have left over money that is not spent it does not roll back into other townships. He added that allowable expenses may be turned in until December 15.

Commissioner Kaaz requested to remove the check registry from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, December 9, 2020 with the check registry removed.

Motion passed, 4-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to accept the check registry from the consent agenda.

Motion passed, 3-0, Commissioner Kaaz abstained

Commissioner Culbertson will attend the LCDC meeting via Zoom on Thursday.

Commissioner Culbertson will attend the Annual Extension Council meeting via Zoom Thursday evening.

Commissioner Kaaz participated in a conference call regarding a federal update on COVID.

Commissioner Stieben updated the Board about the intersection of 158th and K-32.

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

Motion passed, 4-0.

The Board adjourned at 9:25 a.m.

*****December 16, 2020 *****

The Board of County Commissioners met in a regular session on Wednesday, December 16, 2020. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz, Commissioner Schimke and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; Commissioner-Elect Mike Smith

Residents: John Matthews, Anne Brockhoff, Christine Crews, Joe Herring, Russell Phelps

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry requested approval of a cereal malt beverage license for Lakestop located at 158th and K-32.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to authorize the chairman to sign the cereal malt beverage license for Lakestop at 158th and K-32.

Motion passed, 5-0.

Mr. Loughry indicated yesterday was the deadline for CARES Act Funds submissions

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to authorize Mr. Bill Noll, the director of ICS, to designate a surveyor or surveyors for the purpose of reviewing subdivision plats and executing such other acts relating to the duties of the county surveyor as provided for by K.S.A. 58-2005.

Motion passed, 5-0.

Mr. Loughry reported yesterday was the deadline for submission for the CARES Act Funding.

Commissioner Kaaz requested to remove the check registry from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, December 16, 2020 minus the check registry as presented.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda check registry.

Motion passed, 4-0, Commissioner Kaaz abstained.

Bill Noll requested approval of a contract with Finney and Turnipseed for the construction inspection services of Bridge SH-30.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve inspection services awarded to Finney and Turnipseed.

Motion passed, 5-0.

Mr. Noll requested to engage Bartlett and West to investigate the premature asphalt pavement cracking on dust abatement groups 2, 4, 5 and 7.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve Bartlett and West to investigation the premature asphalt failure of the dust abatement projects 2,4, 5 and 7.
Motion passed, 5-0.***

Mr. Noll updated the Board on the intersection of K-32 and 158th indicating the KDOT's traffic investigation report does not warrant a stop light. KDOT will install stop bars, more signage and reducing the advisory speed limit.

Mr. Noll reported that the city of Basehor's projects moved through the next stage with MARC on the 155th Street improvement and a trail.

Krystal Voth presented Resolution 2020-39, the adoption of the 2006 International Building Codes and 2006 International Residential Codes.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to approve Resolution 2020-39, adopting 2006 International Building Codes and 2006 International Residential Codes for one and two- family dwellings with certain modifications with a start date of January 1, 2021.

Commissioner Culbertson requested that Easton and Kickapoo townships be excluded from the building codes resolution.

Motion failed, 2-3, Commissioners Schimke, Smith and Culbertson voted nay.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve Resolution 2020-39, adopting the 2006 International Building Codes excluding Easton and Kickapoo townships from said resolution with an effective date of January 1, 2021.

Motion passed, 4-1 Commissioner Schimke voted nay.

Ms. Voth presented Resolution 2020-48, adopting the rezoning of County Road 1 that would follow the adopted land use A map.

Commissioner Smith opened the public hearing.

Don Budd's email was recognized.

Anne Brockhoff spoke in opposition.

Christine Crews spoke in opposition.

Commissioner Smith closed the public hearing.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz that the rezoning map to be incorporated into the resolution as Exhibit "A" and the subsequent rezoning be amended to exclude from rezoning all of the area south of Hemphill Road with the exception of that area immediately near the intersection of County Road 1 and the turnpike that area amended to light industrial and my motion to disapprove the recommendation of the Planning Commission as submitted and to refer the matter back to the Planning Commission with direction to review the changes proposed as well as changes as may be justified by recently adopted County Comprehensive Plan

Motion failed, 2-3 Commissioners Schimke, Culbertson and Kaaz voted nay.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Resolution 2020-48.

Motion passed, 3-2 Commissioners Stieben and Smith voted nay

Commissioner Kaaz participated in Kansas Beats the Virus meeting promoting face coverings. She will participate in a Zoom meeting this evening with the same group and the medical director who will be working on plan to encourage people to use the vaccine. She participated in a Zoom meeting with Connection for Success geared toward the youth.

Commissioner Culbertson met with the city of Easton to work on getting CARES ACT funds finalized.

Commissioner Schimke reported he is trying to get on the city of Leavenworth agenda to discuss a study regarding dispatch services.

Commissioner Smith participated in the MARC meeting via Zoom.

Commissioner Culbertson will be participating in the LCPA meeting tomorrow.

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

Motion passed, 5-0.

The Board adjourned at 11:12 a.m.

*****December 23, 2020*****

The Board of County Commissioners met in a regular session on Wednesday, December 23, 2020. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz, Commissioner Schimke and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; Janet Klasinski, County Clerk; Stacy Driscoll, Register of Deeds; Janice Van Parys, County Treasurer; Crystal Blackdeer, Leavenworth County Humane Society; Mark Breuer, Schlagel and Associates by phone;

Residents: Joe Herring

PUBLIC COMMENT:

Crystal Blackdeer requested an out of budget cycle funding request.

Commissioner Smith indicated the request would need to be placed on the agenda before being considered.

ADMINISTRATIVE BUSINESS:

Mark Loughry requested the Board to consider a second personal holiday for employees.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to approve a second personal holiday for employees for 2021.

Motion passed, 5-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, December 23, 2020

Motion passed, 5-0.

Janet Klasinski requested approval of budget amendments as presented.

Commissioner Smith opened the public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed the public hearing.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to amend the 2020 County budget.

Motion passed, 5-0.

Ms. Klasinski requested to amend the special district funds for local service road and bridge.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to amend the 2020 special district funds for local service road and bridge.

Motion passed, 5-0.

Ms. Klasinski requested approval of Board Order 2020-9, transferring funds from the road and bridge fund to the capital improvement fund in the amount of \$1,200,000.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Board Order 2020-9.

Motion passed, 5-0.

Ms. Klasinski requested approval of Board Order 2020-10, transferring funds from the Solid Waste operating fund to the Capital Improvement Fund in the amount of \$11,585.00.

A motion was made by Commissioner Schimke and seconded by commissioner Culbertson to approve Board Order 2020-10.

Motion passed 5-0.

Ms. Klasinski requested approval of Board Order 2020-11, transferring funds from the Special Building, Buildings and Grounds to the Capital Improvement Fund in the amount of \$16,800.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Board Order 2020-11.

Motion passed, 5-0.

Ms. Klasinski requested approval of Board Order 2020-12, transferring funds from the Election fund to the equipment reserve fund in the amount of \$25,000.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Board Order 2020-12.

Motion passed, 5-0.

Ms. Klasinski requested approval of Board Order 2020-13, transferring funds from Register of Deeds Technology fund to the Board of County Commissioners/ROD Tech Fund in equipment reserve in the amount of \$70,260.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Board Order 2020-13.

Motion failed, 2-3 Commissioners Stieben, Smith and Kaaz voting nay.

Ms. Klasinski requested approval of Board Order 2020-14, transferring funds from the Special Building, Justice Center Fund to the Capital Improvement Fund in the amount of \$15,000.00.

A motion was made by Commissioner Schimke and seconded by Commissioner Culbertson to approve Board Order 2020-14.

Motion passed, 5-0.

Ms. Klasinski requested approval of Resolution 2020-49, waiving the GAAP requirement.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve Resolution 2020-49, waiving the requirements of K.S.A. 75-1120 a(a) as they apply to the County of Leavenworth for the year ended 2020.

Motion passed, 5-0.

David Van Parys requested to approve Board Order 2020-15, appointing two deputy district coroners.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve Board Order 2020-15.

Motion passed, 5-0.

Bill Noll requested approval of an interlocal agreement with Jefferson County for the maintenance of roads.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to approve agreement for the maintenance of roads along the county lines with Leavenworth and Jefferson County.

Motion passed, 5-0.

Krystal Voth presented Case Number DEV-20-107&108 a preliminary and final plat for South Linwood Elementary School.

The Board discussed concerns about turn lanes and the cost of upgrades to the road that it be the financial responsibility of the school district if that area grows in the future.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to table for one week with the appropriate language discussed.

Motion passed, 5-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to waive any rezoning fees specific to County Road 1 corridor for one year for 2021.

Motion passed, 4-1 Commissioner Culbertson voting nay.

Commissioner Culbertson reported he has some complaints about the Easton landfill.

Commissioner Culbertson met with Rep. Jeff Pittman to discuss about the Eastern Gateway Project and will be going out for estimates on drone footage of the route.

Commissioner Smith will attend the Fairmount Township meeting tonight.

Commissioner Kaaz participated in two Zoom meetings with the Kansas Beats the Virus group.

A brief discussion took place regarding the COVID-19 vaccine.

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

Motion passed, 5-0.

The Board adjourned at 10:27 a.m.

*****December 30, 2020 *****

The Board of County Commissioners met in a regular session on Wednesday, December 30, 2020. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz, Commissioner Schimke and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Mollie Hill, Legal Counsel for Leavenworth County Sheriff; Krystal Voth, Planning and Zoning Director; Jamie Miller, EMS/Health Department Director; Janet Klasinski, County Clerk; AW Himpel, Tonganoxie City Council; Mark Breuer, Schlagel and Associates

Residents:

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry recognized Lauren Anderson with Public Works for receiving her engineering license.

Commissioner Smith read Resolution 2020-50, recognizing front line workers of the COVID-19 pandemic.

A motion was made by Commissioner Kaaz and seconded by Commissioner Schimke to approve Resolution 2020-50.

Motion passed, 5-0.

Mr. Loughry presented an agreement between Leavenworth County and the city of Tonganoxie for sewer improvements.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve the interlocal agreement respecting main interceptor sewer improvements to serve the business park and financing between the city of Tonganoxie and the County of Leavenworth.

Motion passed, 5-0.

Jamie Miller updated the Board on the COVID-19 vaccinations.

Mr. Loughry presented a letter of support for 911 system evaluation.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve the letter of support for the 911 system evaluation.

Motion passed, 5-0.

Commissioner Culbertson requested permission from the Board to engage a drone videography service for the Eastern Gateway Project not to exceed \$2,000.00.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to engage Drone on Demand to acquire video footage for the Eastern Gateway Project not to exceed \$2,000.00.

Motion passed, 5-0.

Commissioner Smith received thank you letters from the Leavenworth Historical Museum and St. Vincent Clinic for funding received from the County.

Commissioner Stieben met with Bill Noll and Chuck Magaha and discussed FEMA reimbursement indicating they have reached out to various people in the organization to determine when the County should expect funds.

Commissioner Smith suggested to reach out to legislation and representatives in their areas individually since the County can't have a pre-legislative breakfast.

A work session will be added to next week's agenda to discuss legislation topics.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, December 30, 2020 as presented.

Motion passed, 5-0.

Mr. Loughry presented Board Order 2020-16, transferring funds from the Sales Tax Fund to the Capital Road Fund.

A motion was made by Commissioner Schimke and seconded by Commissioner Kaaz to approve Board Order 2020-16.

Motion passed, 5-0.

Mollie Hill presented an extension of an agreement for one year between Leavenworth County and Wyandotte County to house juvenile residents on an as needed basis.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to approve the extension of the agreement with Wyandotte County to house juveniles.

Motion passed, 5-0.

Krystal Voth presented Case Number DEV-20-107 & 108, a preliminary and final plat for Linwood South Elementary School with the additional condition brought forth by the Board.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to approve the preliminary and final plat for the Linwood Elementary USD #458 subject to the conditions stated with the additional language of any and all traffic signage to include signaling trivial to the operations of the school shall be installed and maintained by and at the cost of the school district.

Motion passed, 4-1 Commissioner Culbertson voting nay.

Commissioner Kaaz will participate in a meeting Tuesday with the Mental Health Task Force via Zoom.

Commissioner Kaaz will represent the Board for the Adult Community Corrections Board.

Commissioner Stieben sent information to citizens about the County Road One rezoning.

Commissioner Smith attended the Fairmount Township meeting last week.

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

Motion passed, 5-0.

The Board adjourned at 10:16 a.m.