

*****January 6, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, January 6, 2021. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz, Commissioner Schimke and Commissioner Culbertson are present; Mark Loughry, County Administrator is absent; Also present: David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, January 6, 2021.

Motion passed, 5-0.

Bill Noll requested to award bid to Dondlinger Construction for the SH-30 bridge replacement project.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to award bid to Dondlinger Construction for SH-30 bridge replacement project in an amount not to exceed \$612,269.31.

Motion passed, 5-0.

Krystal Voth requested approval for a KDHE review of the Leavenworth County Sanitary Code by signing documentation of Concurrence for County Sanitary Code review.

A motion was made by Commissioner Schimke and seconded by Commissioner Schimke to approve Case Number DEV-20-148, Sanitary Codes Review.

Motion passed, 5-0.

Commissioner Kaaz participated in the Mental Health Task Force meeting yesterday and Leavenworth City Council Meeting.

Commissioner Culbertson attended the Easton City Council meeting.

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

Motion passed, 5-0.

The Board adjourned at 9:42 a.m.

*****January 6, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, January 6, 2021. Commissioner Smith, Commissioner Stieben, Commissioner Schimke, Commissioner Culbertson, Commissioner Kaaz are present; Mark Loughry, County Administrator is absent; Also present: John Richmeier, Leavenworth Times

A work session was held to discuss legislative session matters of concern to present to state representatives.

The Board ended the work session at 10: 37 a.m.

Final Approved

*****January 6, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, January 6, 2021. Commissioner Smith, Commissioner Stieben, Commissioner Schimke, Commissioner Culbertson, Commissioner Kaaz are present; Mark Loughry, County Administrator is absent; Also present: Aaron Yoakum, Buildings and Grounds Director; Keith Rickard, Director of The Guidance Center; Buddy Turner CEO of Center Pointe Behavioral Health System; Jim Shaheen, Vice President of Outpatient Development of Center Pointe Behavioral Health System; Lisa St. Aubyn, CEO of Signature Psychiatric Hospital; John Richmeier, Leavenworth Times

A work session was held with representatives from Center Pointe Behavioral Health System and Signature Psychiatric Hospital to discuss a proposal to lease the third floor of Cushing Hospital for a for-profit psychiatric hospital.

The Board ended the work session at 2:09 p.m.

Final Approved

*****January 13, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, January 13, 2021. Commissioner Smith, Commissioner Stieben, Commissioner Kaaz, Commissioner Schimke and Commissioner Culbertson are present; Commissioner Elect Mike Smith is present; Mark Loughry, County Administrator is present by phone; Also present: David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Janice Van Parys, Leavenworth County Treasurer; TerriLois Mashburn, Register of Deeds; John Richmeier, Leavenworth Times

Residents: Dee Hull, Duskin Hull, Jennifer Hull, Ed and Cindy Irvine, Roger and Rebecca Swearingen

PUBLIC COMMENT:

Ed Irvine, Roger Swearingen and Rebecca Swearingen commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Mark Loughry recommended to put the resolution implementing building codes on the agenda next week.

Janet Klasinski requested appointment to the Sherman Township for the clerk position.

Commissioner Stieben recommended Brian Wells for the position of the Sherman Township clerk.

A motion was made by Commissioner Stieben and seconded by Commissioner Schimke to appoint Brian Wells to the Sherman Township Board.

Motion passed, 5-0.

Commissioner Smith inquired about the need of outside agencies for the occupancy of Cushing Hospital.

Mr. Loughry indicated he is trying to determine the internal needs first before reaching out to outside agencies.

Commissioner Schimke attended the Leavenworth City Council meeting last night and presented a proposal for a 911 system evaluation.

A motion was made by Commissioner Culbertson and seconded by Commissioner Schimke to accept the consent agenda for Wednesday, January 13, 2021 as presented.

Motion passed, 5-0.

Commissioner Schimke made a statement regarding his term as County Commissioner.

A motion was made by Commissioner Schimke and seconded by Commissioner Stieben to adjourn and move into sine die.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to appoint Mike Smith as temporary chair.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to appoint Mike Smith as permanent chairperson.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to keep Wednesdays the regular meeting days at 9:00 a.m.

Motion passed, 5-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the Leavenworth Times as the official newspaper for Leavenworth County.

Motion passed, 5-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to continue with Commerce Bank as the official depository.

Motion passed, 5-0.

Ms. Klasinski presented Resolution 2021-1, indicating it is a statutory obligation to set the elected official's salaries.

TerriLois Mashburn requested to have her salary lowered by \$4,800.00.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to set the wages for elected officials as presented with the exception of lowering the Register of Deeds by \$4,800.00.

Motion passed, 4-1 Commissioner Stieben voting nay.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to exit sine die and return to regular session.

Motion passed, 5-0.

Krystal Voth presented Resolution 2020-25, a special use permit for Tri-Hull Crane.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2020-25, a special use permit for Tri-Hull Crane Rental.

Commissioner Culbertson read proposed changes to the conditions of the special use permit to include a 5 year permit with Tri-Hull to not seek an extension and to relocate from the site not later than during the 5 year term, no restriction on hours and days of operation due to the seasonal nature of construction and the need to respond to request of service, no limit on number of employees or cranes, travel limited to west on Loring Road to the intersection with US 24/40 or east on Loring Road to the intersection of 238th St., then south on 238th to the intersection with K-32 highway.

Commissioner Kaaz suggested to grant the SUP for 3 years then have Tri-Hull come back and ask for an additional 2 years to ensure all conditions are being met with the understanding 5 years is the maximum.

Commissioner Doug Smith rescinded his motion.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve the term of 3 years and reviewable and at the end of the 5 years, Tri-Hull relocates, the hours of operation will have no restrictions, no limit on employees and no limit on the direction in which will be the discretion of the business.

Motion passed, 4-1 Commissioner Kaaz voting nay.

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

The Board adjourned at 9:55 a.m.

Final Approved

*****January 20, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, January 20, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz, and Commissioner Culbertson are present; Mark Loughry, County Administrator is present by phone; Also present: David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Krystal Voth, Planning and Zoning Director;

Residents: John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A letter of support was presented for the Little Stranger Church for a grant application.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to sign a letter of support for Little Stranger Church grant application.
Motion passed, 5-0.***

David Van Parys presented a Board Order to form a Board of Appeals in relation to building codes.

Commissioner Mike Smith suggested to have staff look into the zoning for Cushing Hospital.

Mark Loughry reported there is a two -year window before the zoning diverts back indicating he is working with staff to get it zoned appropriately.

Commissioner Mike Smith expressed his thoughts on working with the cities on retail and commercial development to keep tax dollars in Leavenworth County.

It was the consensus on the Board to schedule a work session to discuss economic development.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, January 20, 2021 as presented.
Motion passed, 5-0.***

Mr. Van Parys requested to placed the Board Order for building codes on the agenda for next week and grant a moratorium on the enforcement until the end of February.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to delay to implementation of building codes until March 1, 2021.
Motion passed, 4-1 Commissioner Culbertson abstained.***

Bill Noll requested approval of a contract extension with Transystems for the Eastern Gateway Concept Study to provide information to Arup.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the extension of the Transystems contract for the Eastern Gateway Bridge concept study of \$61,540.00.
Motion passed, 5-0.***

Mr. Noll requested approval of an agreement with KDOT for the spraying of noxious weeds in the state highway right-of-way.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve the annual County agreement with Kansas Department of Transportation to treat noxious weeds on state highway right-of ways in Leavenworth County.

Motion passed, 5-0.

Mr. Noll presented the 2021 Leavenworth County Noxious Weed program and submit the approved plan to the Kansas Department of Agriculture.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve and sign the Annual Noxious Weed Eradication Progress Report 2021 for submittal to the Kansas Department of Agriculture.

Motion passed, 5-0.

Mr. Noll requested approval and signature on the 2021 Annual Noxious Weed Eradication Progress Report for submittal to the Kansas Department of Agriculture.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve and sign the 2021 Annual Noxious Weed Eradication Progress Report.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the 2021 Leavenworth County Noxious Weed Program.

Motion passed, 5-0.

Commissioner Smith received a complaint about a driveway located on the newly chip and sealed 178th Street indicating the concern is the driveway is too steep.

Mr. Loughry indicated he felt the County should work with the property owner to amend the issue with the driveway.

Commissioner Stieben requested the health officer give an update on the vaccinations.

Commissioner Doug Smith attended the Basehor City Council meeting last Wednesday and will participate in the upcoming Juvenile Correctional Advisory Board meeting and MARC meetings.

Commissioner Culbertson met with the city of Easton and worked on the drone footage for the Eastern Gateway Bridge project.

Commissioner Kaaz participated in the Adult Advisory board meeting, represented the County in the Martin Luther King Jr. celebration activities, participated in the Leavenworth City Commission meeting and will attend the Workforce Partnership meeting next week via Zoom.

Commissioner Stieben will be speaking about County business at the Elephant Club in Tonganoxie Thursday night. Commissioner Stieben acknowledged the work of the Cornerstone Church in providing new backpacks, blankets, hats and gloves for the homeless.

Commissioner Doug Smith reported Kansas For Life will hold a candlelight vigil Friday at 5:30 p.m. at the Courthouse.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben 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 10:35 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith and Mike Stieben. Present also will be County Administrator Mark Loughry by phone and Senior County Counselor David Van Parys.

Motion passed, 5-0.

The Board returned to regular session at 10:35 a.m. No action was taken and no decisions were made.

Commissioner Kaaz requested the non-elected personnel executive session be placed on the agenda for next week so the County Administrator can be present in person.

Commissioner Stieben reiterated his request to have the health officer present at the next meeting to answer questions about vaccines.

Mr. Loughry will reach out to the health officer and state representatives to inquire about their availability.

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

Motion passed, 5-0.

The Board adjourned at 10:49 a.m.

*****January 27, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, January 27, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz, and Commissioner Culbertson are present; Mark Loughry, County Administrator is present; Also present: David Van Parys, Senior County Counselor; Jamie Miller; Public Health Officer; Krystal Voth, Planning and Zoning Director; Andy Dedeke, Leavenworth County Sheriff; Bill Noll, Infrastructure and Construction Services; Senator Jeff Pittman by phone; John Richmeier, Leavenworth Times

Residents: John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Jamie Miller updated the Board on the COVID-19 vaccines and caseload.

Senator Jeff Pitman was available by phone for discussion and questions.

Bill Noll presented costs and options associated with the relocation of a driveway located on 178th Street.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to authorize an amount not to exceed \$10,000.00 and work with the property owner to have the work done and the County will reimburse the cost.

Motion passed, 5-0.

Mark Loughry requested direction from the Board regarding funding for city projects with a cost share from the County indicating a grant was received but it will go toward a County project it was already appropriated for.

It was the consensus of the Board to schedule a work session to discuss the prioritization of the projects.

Commissioner Stieben asked about the status of Eagle Crossing building permits.

Mr. Loughry reported the road in the subdivision has not been built to county standards indicating if the contractor is willing to accept the road needs to have an overlay done and present a bond or an irrevocable letter of credit for the amount of the project then building permits could be issued.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize staff to contact Eagle Crossing development to get a maintenance bond for the necessary repairs to allow for building permits to go forward.

Motion passed, 5-0.

Commissioner Doug Smith requested Ackerland Hill plat to be removed from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, January 27, 2021 as presented minus Ackerland Hill.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the Ackerland Hill section of the consent agenda.

Motion passed, 4-0 Commissioner Doug Smith abstained.

Mr. Loughry reported Council on Aging has not received funds from grants anticipated from the State and requested to remove from the agenda at this time to see if the funds do come in before the end of their fiscal year.

Krystal Voth presented Board Order 2021-1, establishing a building codes Board of Appeals.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz approve Board Order 2021-1 creating a Board of Building Codes Appeals.

Motion passed, 4-0, Commissioner Culbertson abstained.

Commissioner Doug Smith attended the candle light vigil Friday evening at the Courthouse, JCAB meeting and the MARC meeting via Zoom. He will attend the Fairmount Township and the Basehor City Council meetings.

Commissioner Mike Smith announced Lansing City Council appointed Ron Dixon to the council.

Commissioner Stieben reported Sherman Township will have a meeting about the possible formation of a fire district. He also reported the tornado relief from property taxation for out buildings bill has been reintroduced to the senate.

Commissioner Culbertson met with the producers of the drone fly over for the Eastern Gateway Bridge Concept to present to the city of Lansing. He also met with the city of Easton to discuss cleaning up health hazards within the city.

Commissioner Kaaz attended the Adult Advisory Board meeting, the Leavenworth County Port Authority meeting and the Workforce Partnership meeting. She also listened in on the legislative hearings in Topeka.

A motion was made by Commissioner Culbertson 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 to protect the privacy matters of the persons involved and that this Board resume at 10:50 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith, Mike Stieben, County Administrator Mark Loughry and Sheriff Andy Dedeke.

Motion passed, 5-0.

The Board returned to regular session at 10:50 a.m. No decisions were made and discussion was limited to non-elected personnel.

A motion was made by Commissioner Culbertson and seconded at Commissioner Doug Smith 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 to protect the privacy matters of the persons involved and that this Board resume at 11:10 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith, Mike Stieben, County Administrator Mark Loughry

Motion passed, 5-0.

The Board returned at 11:08 a.m. No decisions were made and discussion was limited to non-elected personnel.

*A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to adjourn.
Motion passed, 5-0.*

The Board adjourned at 11:09 a.m.

Final Approved

*****January 27, 2021*****

The Board of County Commissioners met in a work session on Wednesday, January 27, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz, and Commissioner Culbertson are present; Mark Loughry, County Administrator is present; Also present: Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews

A work session was held to discuss traffic impact and cross access easement policies.

Direction was given to staff to make changes discussed to the traffic impact policy and place on the agenda for consideration.

The Board ended the work session at 11:53 a.m.

Final Approved