

\*\*\*\*\*August 4, 2021 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, August 4, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Tammy Saldivar, Solid Waste Director; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times

Residents: AW Himpel, Joe Herring, John Matthews, Dennis Taylor

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Janet Klasinski requested the Board to randomly select precincts in the city of Leavenworth and USD #469 for an audit to be held August 5<sup>th</sup> at 1:00 p.m.

Mark Loughry reported the IT staff incorrectly posted results leaving the vote totals aligned with the incorrect candidates.

The Chairman randomly selected 3<sup>rd</sup> precinct 5<sup>th</sup> Board for Leavenworth City and Lansing Board 2 for the audit.

Mr. Loughry presented information from Charter Communications on a NTIA grant that would extend broadband to the unserved and underserved areas of the rural community in Leavenworth County and has asked Leavenworth County to sponsor the grant at no cost.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the grant application for the County Administrator to follow through for the NTIA grant.***

***Motion passed, 5-0.***

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

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, August 4, 2021 minus the check registry.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the check registry section of the consent agenda.***

***Motion passed, 4-0, Commissioner Kaaz abstained.***

Tammy Saldivar presented a quarterly report for the Solid Waste Department.

Krystal Voth presented the quarterly report for Planning and Zoning.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz that the Board recess for a closed executive meeting for the discussion of potential litigation involving the legal interests of the County 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 the Board resume open***

***session at 9:45 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug 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 9:45 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

Commissioner Doug Smith attended Senior Day at the County Fair and the Livestock auction.

Commissioner Stieben met with George Brajkovic from Tonganoxie to talk about the Hill's Pet Food plant. He met with the city of Linwood to talk about sales tax. He attended a What's Right About America Rally on Saturday.

Commissioner Culbertson met with Senator Jeff Pittman last week about Senate Bill 13, Eastern Gateway Bridge and other issues. He attended the Easton City Council meeting.

Commissioner Mike Smith will attend the Lansing City Council meeting on Thursday.

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

***Motion passed, 5-0.***

The Board adjourned at 9:51 a.m.

\*\*\*\*\*August 4, 2021 \*\*\*\*\*

The Board of County Commissioners met in a work session on Wednesday, August 4, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Krystal Voth, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Joshua Gentzler, Planner I; John Richmeier, Leavenworth Times

Residents: Joe Herring, AW Himpel, John Matthews, Dennis Taylor

A work session was held to discuss recreational vehicles in trailer parks.

The Board ended the work session at 10:21 a.m.

Final Approved

\*\*\*\*\*August 11, 2021 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, August 11, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Connie Harmon, Council on Aging Director; Bill Noll, Infrastructure and Construction Services; Bob Weber, Leavenworth County Appraiser; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times

Residents: AW Himpel, John Matthews, Dennis Taylor, Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson that the Board adjourn as the Board of County Commissioners to convene as the Board of Canvassers.***

***Motion passed, 5-0.***

Janet Klasinski updated the Board on the results from the August 3, 2021 election and the manual audit. She recommended 10 qualified provisional votes be counted before the certification.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to adjourn as the Board of Canvassers for the August 3<sup>rd</sup> primary election and return to regular session.***

***Motion passed, 5-0.***

Mark Loughry reported one proposal was submitted for the Comprehensive Traffic Analysis.

It was the consensus of the Board to meet with the other contractors to see if accommodations could be made within the guidelines of KDOT and MARC.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to adjourn as the Board of County Commissioners and return to the Board of County Canvassers to certify the August 3<sup>rd</sup> election 2021.***

***Motion passed, 5-0.***

Ms. Klasinski indicated the 10 provisional votes did not make a difference in either race.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to certify the 2021 Primary Election for the USD#469 Board of Education and the city of Leavenworth Commission.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to adjourn as the Board of Canvassers and return to regular session as the Board of County Commissioners.***

***Motion passed, 5-0.***

Commissioner Stieben inquired if a letter should be written to the redistricting committee in support of Leavenworth County having its own senatorial district.

It was the consensus of the Board to have staff draft a letter after the census numbers are out and after more discussion.

Commissioner Doug Smith mentioned an email that was received regarding the trailer park in Tonganoxie accommodating RV's for the workers that will be constructing the Hill's dog food Plant.

Mr. Loughry indicated the process is in play to make the changes required which should be ready in 45 days.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, August 11, 2021 as presented.***

***Motion passed, 5-0.***

Mr. Noll presented an agreement with KDOT for the High-Risk Rural Roads project on Tonganoxie Road.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the agreement with KDOT for the High-Risk Rural Roads for the Tonganoxie Road safety improvement project.***

***Motion passed, 5-0.***

Bob Weber requested approval of Board Order 2021-3, granting tax abatement for two properties destroyed by fire.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to approve the disaster tax relief abatement for the two homes destroyed by fire tax I.D. 1-00210 and 1-0064 with Board Order 2021-3.***

***Motion passed, 5-0.***

Connie Harmon requested approval to enter into a contract with Terry Booker for catering and nutritional services for the Meals on Wheels program.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve a contract between Council on Aging and Terry Booker for the nutrition services and catering for fiscal year 2022-2024.***

***Motion passed, 5-0.***

Mr. Weber presented the quarterly report for the County Appraiser's office.

Ms. Harmon presented the quarterly report for the Council on Aging.

Commissioner Stieben attended the International Student's Day at the Riverfront Community Center yesterday. He and Commissioner Mike Smith met with a rep from Atmos Energy.

Commissioner Culbertson will attend the Easton Township meeting Thursday evening. He will also be meeting with the Mayor of Basehor and Lansing to tour each city.

Commissioner Kaaz participated in the Leavenworth City Commission last night and will participate in the LCDC meeting tomorrow. She will also be attending the redistricting meeting Friday morning and participated in a Workforce Development zoom meeting.

Commissioner Mike Smith attended the Lansing City Council meeting and spoke at the International Student's Day yesterday.

Commissioner Doug Smith will attend the Basehor City Council meeting tonight and reported a ribbon-cutting ceremony will be held on Thursday for the new elementary school in Basehor.

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

The Board adjourned at 10:02 a.m.

Final Approved

\*\*\*\*\*August 18, 2021 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, August 18, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Aaron Yoakum, Buildings and Grounds Director; John Richmeier, Leavenworth Times

Residents: Joe Herring, AW Himpel, Dennis Taylor

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported the infrastructure and transportation bill at the federal level is moving forward.

Mr. Loughry mentioned the broadband grant was submitted.

Commissioner Doug Smith inquired about the trailer park in Tonganoxie allowing RV's to park there and the rezoning along County Road 1 that occurred.

David Van Parys noted he did not think the rezoning included the trailer park but will pursue the matter.

Commissioner Doug Smith asked the minutes from August 11, 2021 reflect that more discussion is needed after the census numbers come out with regards to the redistricting.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to accept the consent agenda for Wednesday, August 18, 2021 with the correction to the minutes.***

***Motion passed, 5-0.***

Bill Noll requested approval of a 5-year lease agreement with Foley Equipment for three Caterpillar motor graders.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve the 5-year lease for three motor graders in the amount of \$95,341.97.***

***Motion passed, 5-0.***

Aaron Yoakum presented the quarterly report for Buildings and Grounds.

Mr. Noll presented the quarterly report for Public Works.

Commissioner Culbertson met with the Mayor of Lansing and Basehor last week.

Commissioner Kaaz attended the LCDC last Thursday and participated in the redistricting meeting last Friday. She also attended the Port Authority meeting yesterday.

Commissioner Doug Smith attended the Basehor City Council meeting last Wednesday and attended the ribbon-cutting ceremony for Gray Hawk Elementary School.

Commissioner Stieben attended the redistricting meeting last Friday. He indicated a letter was received from Atmos Energy which will be shared with the Board. He spoke at the Corner Stone Family Worship Center yesterday.

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

The Board adjourned at 10:01 a.m.

Final Approved



\*\*\*\*\*August 25, 2021 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, August 25, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Amy Allison, Planning and Zoning Deputy Director; Jamie Miller, EMS Director; Jamie VanHouten, Community Corrections Director; Larry Malbrough, Information Systems Director; John Richmeier, Leavenworth Times

Residents: John and Karen Fernandez, Timothy and Tammy Porterfield, Joe Herring, Sidonio Ramos, AW Himpel, Larry Theis, Joe Matzeder, Wallace Brawner, Eric McMillin

**PUBLIC COMMENT:**

John Fernandez, Timothy Porterfield, Sidonia Ramos and Joe Herring commented on an agenda items.

**ADMINISTRATIVE BUSINESS:**

Commissioner Mike Smith reported the County has been experiencing phone issues with dropped calls.

Mark Loughry mentioned the phone issues are with the carrier and not an internal problem.

Commissioner Kaaz requested the check registry be removed from the consent agenda.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, August 25, 2021 minus the check registry.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the check registry section of the consent agenda.***

***Motion passed, 4-0, Commissioner Kaaz abstained.***

Commissioner Mike Smith opened the public hearing for the 2022 Leavenworth County Budget.

Janet Klasinski iterated that the first thing for the budget this year is to approve a resolution exceeding the revenue neutral rate with a public hearing for discussion.

Commissioner Mike Smith opened the public hearing on Resolution 2021-31, exceeding the revenue neutral rate.

Eric McMillin and Joe Matzeder spoke.

Commissioner Mike Smith closed the public hearing on Resolution 2021-31, exceeding the revenue neutral rate.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve Resolution 2021-31, a resolution to levy a property tax exceeding the revenue neutral rate for the tax year of 2022.***

***Motion passed, 4-1 Commissioner Stieben voting nay.***

Commissioner Mike Smith opened the public hearing for the 2022 Leavenworth County Budget.

Eric McMillin and Joe Matzeder spoke.

Commissioner Mike Smith closed the public hearing for the 2022 Leavenworth County Budget.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve the 2022 Leavenworth County budget.***

Commissioner Stieben offered an amendment to the motion to reduce the 4% wage increase from 4% to 3% and redirect that money to an additional ¼ mil levy reduction.

The amendment dies for lack of a second.

***Motion passed, 4-1 Commissioner Stieben voting nay.***

Commissioner Mike Smith opened the public hearing for Resolution 2021-32, exceeding the revenue neutral rate for the Leavenworth County Special Other Funds.

No one spoke.

Commissioner Mike Smith closed the public hearing for Resolution 2021-32.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Resolution 2021-32, a resolution to levy a property tax rate exceeding revenue neutral rate.***

***Motion passed, 4-1 Commissioner Stieben voting nay.***

Commissioner Mike Smith opened the public hearing for 2022 Leavenworth County Other Special Funds Budget.

Commissioner Doug Smith inquired if audits are received from outside agencies that Leavenworth County gives funds to.

Ms. Klasinski indicated if the agency has an audit done, then she receives a copy of the audit but not all agencies have audits done.

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

Amy Allison presented Resolution 2021-29, a request for a rezone from RR-5 to RR-2.5 located at 24257 Millwood Road.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve Resolution 2021-29, a rezoning from 5 acre to a 2.5acre tract located at 24257 Millwood Road.***

***Motion passed, 5-0.***

Ms. Allison presented Resolution 2021-30, a request for a rezone from RR-5 to RR-2.5 located at 24450 171<sup>st</sup> Street.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2021-30, a rezoning of RR-5 to RR-2.5 located at the northeast corner of 17st and McIntyre.***

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

Jamie Miller requested approval of new IT equipment for the Health Department.

***A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to authorize the Health Department to purchase new IT equipment not to exceed \$70,000.00  
Motion passed 5-0.***

Mr. Miller requested approval of a policy for the Department of Justice Grant for funding received.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve and sign the Department of Justice Grant specific guidelines policy.  
Motion passed, 5-0.***

Larry Malbrough requested signature of a contract between Leavenworth County and NetStandard, Inc.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner to authorize the Chairman to sign the scope of work between Leavenworth County and NetStandard, Inc. not to exceed \$20,000.00.  
Motion passed, 5-0.***

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

Mr. Miller presented the quarterly reports for EMS and the Health Department.

Jamie VanHouten presented quarterly report for the Community Corrections Department.

Commissioner Mike Smith reported the census numbers are out indicating the numbers were down in the city of Lansing but the prison itself is included in that with 600 less inmates making it look like the city is losing population.

Commissioner Mike Smith recognized Jeff Focht who is retiring this week as the Street Superintendent at the city of Lansing.

Commissioner Doug Smith recognized the Solid Waste Committee minutes that reflect good things going on at the Transfer Station. He will attend the Basehor City Council meeting tonight and attended the MARC meeting yesterday.

Commissioner Stieben met with a developer on Lexi Drive reporting on the property values of the homes being built.

Commissioner Kaaz participated in the Leavenworth City Commission meeting reporting that the Camp Leavenworth event is still scheduled to move forward.

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

The Board adjourned at 11:06 a.m.