

*****October 6, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, October 6, 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; Bill Noll, Infrastructure and Construction Services; Aaron Yoakum, Buildings and Grounds Director; John Richmeier, Leavenworth Times

Residents: Joe Herring, Dan Lynch, Cale Wiehe, Karol Lohman, Amanda Lohman, James Stuke, Dean Allen, Mark Knipp, AW Himpel, Ryan Barrett

PUBLIC COMMENT:

Cale Wiehe, Karol Lohman, Amanda Lohman, Joe Herring and Dan Lynch commented on agenda items.

ADMINISTRATIVE BUSINESS:

Mark Loughry inquired if the Board is interested in designating someone to the KAC governing board to represent the urban counties.

A motion was made by Commissioner Kaaz and second by Commissioner Doug Smith to designate Mike Smith the KAC governing board.

Motion passed, 5-0.

Ryan Barrett with the Kansas Department of Transportation updated the Board on state road projects in Leavenworth County.

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, October 6, 2021 minus the check registry.

Motion passed, 5-0.

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

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

Aaron Yoakum requested the sale of a John Deere 60" commercial front mower on Purplewave.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to allow Buildings and Grounds to get rid of their surplus equipment.

Motion passed, 5-0.

Bill Noll requested approval of the purchase of a 2022 Loadking bottom dump trailer from Hawk Equipment for \$38,936.00.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve the purchase of a new 2022 LoadKing bottom dump trailer from Hawk Equipment for a total payment of \$38,936.00.

Motion passed, 5-0.

Mr. Noll requested approval of the purchase of a 2022 or 2023 Mack tandem axle semi from Nextran Truck Center for a total amount of \$109,284.00.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to allow Public Works to purchase a 2022 or 2023 Mack tandem axle for \$109,284.00.

Motion passed, 5-0.

Amy Allison presented Resolution 2021-42, a request to rezone property located on Sandusky Road from RR-5 to RR-2.5 indicating a valid protest petition was filed.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-42, a rezone from 5 acres to 2.5 acres location west of the intersection of K-16 and Sandusky Road.

Motion passed, 5-0.

Ms. Allison presented Resolution 2021-43, a request to rezone property located in the northwest corner of Dempsey Road and 227th St. from RR-5 to RR-2.5 indicating a valid protest petition was filed.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2021-43, a rezone from RR-5 to RR-2.5 at 22852 Dempsey Road.

Motion failed 3-2 due to lack of 4 affirmative votes under the protest petition Commissioner Kaaz and Stieben voting nay.

Commissioner Kaaz listed her reasons for denial and Commissioner Stieben concurred with those reasons.

Commissioner Doug Smith indicated Henry Leavenworth Elementary School is having a fundraiser for childhood cancer starting at 12:30 p.m. today. He reported Fairmount Township Fire Department will hold an open house October 9 from 10:00 a.m. to 2:00 p.m.

Commissioner Mike Smith reported Lansing will be having Fall Festival October 9th from 10:00 a.m. to 3:00 p.m. at Angel Park. He will also attend the Lansing City Council meeting tomorrow.

Commissioner Culbertson indicated he and Commissioner Doug Smith met with individuals about getting a volunteer group together to work on the LAVTR funds and will be meeting with a state representative tomorrow. He also has been working with the volunteer fire departments on working out technical issues on the emergency pagers.

Commissioner Kaaz reported the County is moving forward on selecting a contractor for the Cushing Building and indicated there was not a Leavenworth City Commission meeting this week. She indicated the Leavenworth High School homecoming parade will be held Friday afternoon. She will attend the Mental Health Task Force meeting on October 18th.

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

Motion passed, 5-0.

The Board adjourned at 10:01 a.m.

*****October 13, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, October 13, 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; John Richmeier, Leavenworth Times

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

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben inquired if the County made vaccinations optional for employees and put into place a policy would that apply to elected officials.

David Van Parys indicated generally personnel policies apply to all County employees with exceptions for elected officials.

Commissioner Doug Smith requested a joint work session with the Planning Commission for the review of the Comprehensive Plan.

Mark Loughry requested the Commission hold a work session first before scheduling one with the Planning Commission.

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

Motion passed, 5-0.

Commissioner Mike Smith attended the Lansing City Commission and Lansing Dazes.

Commissioner Doug Smith attended the fundraiser at Henry Leavenworth School and the Tonganoxie candidate forum. He also attended the Fairmount Open House, the Basehor Fall Festival and Lansing Daze.

Commissioner Stieben met with citizens about road issues and attended a picnic with Tonganoxie School Board candidates.

Commissioner Culbertson met with Representative Neeley regarding LAVTR and met with individuals regarding the landfill in Easton indicating he is working on getting no jake braking signs put up.

Commissioner Kaaz attended the 7-11 ribbon cutting, the Mental Health Task Force meeting and the Leavenworth City Commission meeting.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson that the Board recess for a closed executive meeting for the discussion 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 meeting at 9:35 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Jeff

Culbertson, Vicky Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor David Van Parys and County Administrator Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 9:35 a.m. No decisions were made and the subject was limited to the legal interests of the County.

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

Motion passed, 5-0.

The Board adjourned at 9:35 a.m.

Final Approved

*****October 13, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, October 13, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: John Matthews, Dennis Taylor

A work session was held to discuss the Eastern Gateway Bridge.

The Board ended the work session at 9:55 a.m.

Final Approved

*****October 21, 2021 *****

The Board of County Commissioners met in a regular session on Thursday, October 21, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Commissioner Kaaz is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Aaron Yoakum, Buildings and Grounds Director; Bill Noll, Infrastructure and Construction Services; and John Richmeier, Leavenworth Times

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

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported that the Senate passed legislation allowing more flexibility on the ARPA funds.

Commissioner Stieben requested a public hearing at the review of the Comprehensive Plan.

Mr. Loughry indicated the public hearing will be held at the Planning Commission meeting.

Commissioner Stieben inquired about a special use permit that was heard by the Board on September 1st and sent back to the Planning Commission.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to bring it to the agenda for next week.

Motion passed, 5-0.

David Van Parys clarified matters regarding the Kaw Valley special use permit indicating the issue is on hold pending the outcome of subsequent appeal filed by Kaw Valley.

Commissioner Kaaz requested the check register 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 Thursday, October 21, 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.

Aaron Yoakum requested to award bid to Sands Construction for the 1st floor Cushing Building remodel for the Council on Aging area.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the contract with Sands Construction for the Cushing remodel first floor for an amount not to exceed \$3,000,000.00.

Motion passed, 5-0.

Bill Noll requested approval of Resolution 2021-47, approving the gravel road dust control policy and the dust control request form.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve Resolution 2021-47 approving the gravel road dust control policy and the 2022 dust control request form changes.

Motion passed, 5-0.

Commissioner Doug Smith attended the Basehor City Council meeting and will attend the Juvenile Corrections Advisory Board meeting this afternoon.

Commissioner Stieben attended the Kansas Association of Counties conference meeting this week. He also met with the Tonganoxie city administrator and staff.

Commissioner Kaaz participated in the LCDC and LCPA meetings, the Leavenworth City Commission meeting and the Adult Corrections Advisory Board meeting. She will attend the Juvenile Corrections Advisory Board meeting this afternoon.

Commissioner Culbertson attended the Kansas Association of Counties conference. He met with Representative Neeley and Rural Water Districts #1, 2, 5 and 12 regarding the ARPA funds.

Commissioner Mike Smith attended the Kansas Association of Counties conference and met with staff at the Mid-America Regional Council. He attended the Veteran's Memorial Dedication at the Kenneth Bernard park where the Lion's Club put in benches. He also attended a Fire District #1 meeting.

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

Motion passed, 5-0.

The Board adjourned at 9:35 a.m.

*****October 27, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, October 27, 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; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, Dennis Taylor, Jeff Dusselier

PUBLIC COMMENT:

John Matthews commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a request for gravel on a driveway to a cemetery located in Easton Township.

Commissioner Culbertson clarified the Township will pay for the gravel, they are just asking for the delivery of the gravel.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben that the County Shop deliver gravel on request to a township abandoned cemetery.

Motion passed, 3-2 Commissioners Mike Smith and Doug Smith voted nay.

David Van Parys presented a request from the Leavenworth Rotary Club waiving fees at the Transfer Station for yard waste from 7 homes they are cleaning up for residents that are unable to do themselves.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to waive the Transfer Station fees for the Rotary Club for Saturday cleanup.

Motion passed, 5-0.

Commissioner Doug Smith mentioned a request received from the Leavenworth Historical Society for a letter of support for a grant.

Commissioner Doug Smith encouraged everyone to look at the breakdown of their tax bill and see what the County gets and see what the school districts get.

Commissioner Doug Smith mentioned a comment from the Planning Commission indicating the County Commissioners are requiring a detailed plan from the applicant on rezones. He indicated he didn't know if that is what the Commission wanted.

Mr. Van Parys indicated a meeting will be held this afternoon with the Planning Commission to go over the roles of the Planning Commission members.

Commissioner Culbertson inquired if a mailer from the BOCC could go out with tax statements about LAVTR and demand transfers.

Mr. Van Parys reported the County Clerk and Treasurer are working on tax statements to prepare for mailing and believes there would not be sufficient time to prepare a mailer.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 27, 2021 as presented.

Motion passed, 5-0.

Amy Allison presented Resolution 2021-48, a request for a special use permit for a boat storage facility located at 15829 174th St.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve Resolution 2021-48, a special use permit for boat storage facility for Dusselier Boat Storage located at 15829 174th St.

Motion passed, 3-2 Commissioners Kaaz and Mike Smith voted nay.

Commissioner Stieben indicated he is holding a town hall meeting tomorrow evening at the Annex.

Commissioners Kaaz and Doug Smith attended the Juvenile Advisory Board Meeting via Zoom.

Commissioner Doug Smith participated in the MARC meeting and will attend the Basehor City Council meeting and the Fairmount Township meeting.

Commissioner Kaaz attended the Leavenworth City Commission meeting last night.

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

Motion passed, 5-0.

The Board adjourned at 9:36 a.m.

*****October 27, 2021 *****

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

Residents: Joe Herring, Dennis Taylor, John Matthews

A work session was held to discuss Access Management, the plat submittal process and the Comprehensive Plan.

The Board ended the work session at 11:58 a.m.

Final Approved