

*****November 3, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, November 3, 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 VanHouten, Community Corrections Director; Janet Klasinski, County Clerk; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, Dennis Taylor, Scott Kraemer, Steve Rosenthal

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Janet Klasinski indicated an audit is required on two election races and two precincts within those races requesting the chairperson to randomly draw two precincts to audit. She indicated her office randomly selected the races earlier to audit which was the Leavenworth City Commission and USD #469.

Commissioner Mike Smith randomly chose the 2nd precinct 7th ward for the Leavenworth City Commission and Lansing Ward 2 for USD#469.

Mark Loughry reported the Council on Aging is requesting a letter of support for a grant that has a 50/50 match.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve a letter of support for Council on Aging.

Motion passed, 5-0.

Mr. Loughry inquired if the Board is interested in hiring a firm to go after federal grants.

Commissioner Culbertson requested to have the rezone that was denied be placed on the agenda for next week.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to place the Wiehe rezone back on next week's agenda.

Motion passed, 5-0.

Commissioner Mike Smith recognized the Lansing Girls Volleyball Team 5A winning the State Championship.

Commissioner Stieben noted that Winsome Sears will become the first female and woman of color as Lieutenant Governor of Virginia.

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, November 3, 2021 minus the check registry.

Motion passed, 5-0.

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

Motion passed, 4-0, Commissioner Kaaz abstained.

Jamie VanHouten requested approval of an application for non-matching Juvenile Crime Community Prevention grant and requested the chairman to sign the same.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to authorize the chairman to sign the grant application for non-matching Juvenile Crime Community Prevention grant.

Motion passed, 5-0.

Bill Noll requested approval of preliminary engineering for the High-Risk Rural Roads project on Tonganoxie Road in amount not to exceed \$24,960.00.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the preliminary engineering for the High-Risk Rural Roads project on Tonganoxie Road in an amount not to exceed \$25,000.00.

Motion passed, 5-0.

Commissioner Doug Smith inquired about a study on Ginger Creek Sewer District as requested by the city of Basehor.

Mr. Loughry reported the County is waiting for a funding agreement with the city of Basehor which would waive connection fees.

Amy Allison presented Resolution 2021-49, a special use permit for a contractor's yard for Kraemer and Sons.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Resolution 2021-49, a special use permit for a contractor's yard for Kraemer and Sons located at 21655 187th St. for 10 years.

Motion passed, 5-0.

Ms. Allison presented Resolution 2021-50, a rezoning request from RR-2.5 to B-3 located on 139th St.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve Resolution 2021-50, a rezone from RR-2.5 to B-3 on 139th St. adjacent to the city of Basehor.

Motion passed, 5-0.

Commissioner Kaaz will be attending a LCDC event on Friday.

Commissioner Mike Smith requested a Veteran's Day proclamation be placed on next week's agenda.

The Board will participate in the Veteran's Day Parade.

Commissioner Doug Smith attended the Basehor City Council meeting and the Fairmount Township meeting.

Commissioner Stieben held a townhall meeting last Thursday. He extended an invitation on Thursday, November 11 at 9:00 a.m. at the 1866 in Tonganoxie for guest speaker Jamie VanHouten to speak to faith-based groups about helping people coming out of prison.

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

The Board adjourned at 9:38 a.m.

Final Approved

*****November 3, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, November 3, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Keith Rickard, The Guidance Center Director; Jerry McDonald, The Guidance Center; Chelsi Myer and Sonya Murphy, Extension Office; Aaron Yoakum, Buildings and Grounds Director; John Richmeier, Leavenworth Times

A work session was held to discuss accommodations for the Leavenworth County Extension Office and the Guidance Center at the Cushing Building

The Board ended the work session at 11:42 a.m.

Final Approved

*****November 10, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, November 10, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Commissioner Kaaz is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Chief Judge David King; Steve Crossland, Court Administrator; Bill Noll, Infrastructure and Construction Services; Aaron Yoakam, Buildings and Grounds Director; Amy Allison, Planning and Zoning Deputy Director; John Richmeier, Leavenworth Times

Residents: Joe Herring AW Himpel, Dan Lynch, Karol Lohman, Danny Zeck, Tom Schmidt, Janette Labbee-Holdeman, Richard Bazemore

PUBLIC COMMENT:

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

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith read a proclamation recognizing Veteran's Day.

Commissioner Stieben requested to have a discussion regarding letters sent to federal and state representatives regarding the OSHA vaccination mandate be placed on the agenda for next week

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, November 10, 2021 as presented.

Motion passed, 4-0.

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

Motion passed, 4-0.

Janet Klasinski reported an 18.5% turnout for the 2021 General Election with 85 provisional ballots indicating 62 ballots are qualified and 23 were rejected.

It was the consensus of the Board to move ahead with counting the 62 qualified provisionals.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to adjourn as the Board of County Canvassers and reconvene as the Board of County Commissioners.

Motion passed, 4-0.

Chief Judge King reported on the 2022 jury budget. He also requested an increase of compensation for jurors that are selected to serve on the jury to \$50.00 per day and to allow the Court to retain non-court personnel to serve as jury trial bailiffs in limited circumstances.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to increase compensation for jurors to \$50.00 per day that are selected to serve on the jury.

Motion passed, 4-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to allow the Court to retain non-court personnel to serve as jury trial bailiffs in limited circumstances.

Motion passed, 4-0.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to adjourn as the Board of County Commissioners and reconvene as the Board of County Canvassers.
Motion passed, 4-0.***

Ms. Klasinski returned after running the provisionals indicating it made no change to the results of the races. She reported the city of Easton received five write-ins for mayor announcing Phillip Mires as the winner. She reported the city of Easton received eleven write-ins for city council with five open positions announcing Russ Gildner, Tammy Connel, Shannon O'Donnel-Hadley, Amanda Brune and Christopher Wienman as the winners. She indicated there were four write-ins for three positions within the city of Linwood announcing Dylan Ritter, Anna Johnson and Gwen Smith. She indicated she would like to give them the opportunity to decide which position they want. She announced there were three open positions for the Big Stranger Drainage Board of Directors with three people who filed. She also announced the Lenape Drainage Board of Director with three open positions and three people who filed.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to certify the November 2, 2021 City/School General Election.
Motion passed, 4-0.***

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to adjourn as the Board of County Canvassers and reconvene as the Board of County Commissioners.
Motion passed, 4-0.***

Mr. Loughry presented the Merchant McIntyre agreement to assist the County with pursuing federal funds.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve the service agreement with Merchant McIntyre.
Motion passed, 4-0.***

Amy Allison presented Resolution 2021-51, a rezone from RR-5 to RR-2.5 located at 22852 Dempsey Road.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve Resolution 2021-51, and that the Board adopts the findings of the Golden Factors as submitted to and approved by the Planning Commission
Motion passed, 4-0.***

Aaron Yoakam requested approval of a 5- year lease for a 2022 Case Compact Track loader in an amount not to exceed \$10,611.72 annually.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve a 5-year lease for a 2022 Case TR270B Compact Track loader that includes a 5-year extended warranty.
Motion passed, 4-0.***

Mr. Yoakam requested approval of an addendum from ACI Boland for the Crisis Stabilization Unit for the Guidance Center in an amount not to exceed \$74,500.00 from the ARP funds.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve ACI Boland to plan and design space for the Guidance Center Crisis Stabilization Unit in an amount not to exceed \$74, 500.00 from the ARP funds.
Motion passed 4-0.***

Mr. Yoakam requested approval of an addendum from ACI Boland for the K-State Extension Office in an amount not to exceed \$66,570.00 for design.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve ACI Boland to plan and design space for the K-State Extension Office in an amount not to exceed \$66,570.00.

Motion passed, 4-0.

Bill Noll requested approval of the bid pricing from VLP/Equipment for a 2022 Case Track Loader.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the lease for a 2022 Case TV620B Track Loader for 5 years for the total amount not to exceed \$16,789.30.

Motion passed, 4-0.

Mr. Noll requested approval of the bid from Ebert Construction for the HP-19 bridge replacement project.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the bid from Ebert Construction for HP-19 bridge replacement project not to exceed \$1,669,686.35.

Motion passed, 4-0.

Mr. Noll requested approval to accept the proposal and bid from Finney and Turnipseed for the bi-annual bridge inspection.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to accept the proposal and bid from Finney and Turnipseed for the bi-annual bridge inspection for an amount not to exceed \$48,000.00.

Motion passed 4-0.

Joe Herring commented on a non-agenda item.

Commissioner Mike Smith reported the County Commissioners will be riding in the Veteran's Day parade.

Commissioner Doug Smith will attend the Basehor City Council meeting.

Commissioner Stieben will hold a breakfast at 1866 in Tonganoxie on Thursday, November 11. He indicated that he and Commissioner Culbertson met with Ryan Barret from KDOT and also attended the Basehor School Board Meeting.

Commissioner Culbertson reiterated he met with Ryan Barrett with KDOT and also attended the Easton City Council meeting and will participate in the Veteran's Day parade.

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

Motion passed, 4-0.

The Board adjourned at 10:27 a.m.

*****November 17, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, November 17, 2021. Commissioner Culbertson, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Commissioner Mike Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Andy Dedeke, Leavenworth County Sheriff; Connie Harmon, Council on Aging Director; Larry Malbrough, Information Systems Director; John Richmeier, Leavenworth Times

Residents: Elaine Belardo, John Matthews, Dennis Taylor

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Doug Smith requested to appoint a temporary chairperson in the absence of Commissioner Mike Smith.

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

Motion passed, 4-0.

Commissioner Stieben read a proclamation regarding the federal vaccination mandate requesting to send it to all local and state representatives.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to adopt the proclamation in dealing with federal vaccine mandates.

Motion passed, 4-0.

Commissioner Doug Smith inquired about a fiber optic contractor working in the County that has been cutting water lines.

Bill Noll reported he does have information for the prime contractor. He will speak with the County Counselor on what recourse the County would have.

Commissioner Doug Smith asked if flood mitigation would be included in the recent infrastructure bill that was passed.

Mark Loughry indicated that information was passed on to Chuck Magaha and they are looking into that.

Commissioner Doug Smith asked when the final numbers will be available from the census and when will they need to look at redistricting the Commission districts.

Mr. Loughry reported the final count will be available November 24th.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the consent agenda for Wednesday, November 17, 2021 minus the check registry.

Motion passed, 4-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the check registry separate from the consent agenda.

Motion passed, 3-0 Commissioner Kaaz abstained.

Sheriff Andy Dedeke requested an exemption to County policy and requested to donate a 2001 Ford F-150 that was used for the Sherman Township water rescue. He indicated Sherman Township water rescue has disbanded but the Sherman Township Fire Department has use for the vehicle and has maintained it.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to allow exemption to the County policy governing disposal of property less than \$25,000.00 for a 2001 Ford F-150 for the Sheriff's Department for donation to the Sherman Township for \$1.00.

Motion passed, 4-0.

Connie Harmon requested authorization for the Council on Aging to enter a memorandum of understanding with The Deeper Window Association.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve a Memorandum of Understanding with the Deeper Window Association a local veteran 501C3 organization.

Motion passed, 4-0.

Bill Noll requested approval of bid pricing from KanEquip for a 5- year lease on a new 2022 New Holland 4- wheel drive tractor.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve the bid pricing from KanEquip for a new 2022 New Holland 4-wheel drive tractor for an amount totaling \$56,555.80.

Motion passed, 4-0.

Mr. Noll reported on the Eisenhower Road project.

Larry Malbrough requested approval for a one-year contract with Spectrum to process external voice communications for the phone system.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve and authorize the chairman to sign a new one-year renewal full contract with Spectrum Enterprises.

Motion passed 4-0.

Commissioner Doug Smith attended the announcement of the transportation projects on Monday and the Basehor City Council meeting last week. He reported the Commissioners attended the Veteran's Day Parade.

Commissioner Stieben held a prayer breakfast on November 11th and attended the Tonganoxie Business Expo.

Commissioner Culbertson met with representative Jeff Pittman to talk about ongoing issues with the 152 Bridge and demand transfers.

Commissioner Kaaz congratulated Edna Wagner for receiving the Athena Award who is the director of the Richard Allen Cultural Center.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to keep Commissioner Kaaz as chairperson for next week.

Motion passed, 4-0.

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

Motion passed, 4-0.

The Board adjourned at 9:42 a.m.

Final Approved

*****November 17, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, November 17, 2021. Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Commissioner Mike Smith is absent; Also present: Mark Loughry, County Administrator; John Richmeier, Leavenworth Times; All members of the Planning Commission to include Steve Rosenthal, Jeff Spink, Robert Owens, Mark Denney, Wolf Schmidt, Alan Stork, Tom Dials, Amy Baker, AW Himpel and Jaden Bailey

Residents: Joe Herring, Sherri Grogan

A joint work session was held with the Planning Commission.

The Board ended the work session at 12:03 p.m.

Final Approved

*****November 24, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, November 24, 2021. Commissioner Culbertson, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Commissioner Mike Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Amy Allison, Planning and Zoning Deputy Director; Larry Malbrough, Information Systems Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: John and Karen Fernandez, Joe Herring, AW Himpel, Sidonia Ramos, Tim Porterfield, John Matthews, Dennis Taylor, Ronald Grey

PUBLIC COMMENT:

Joe Herring, Karen Fernandez, Sidonia Ramos and Tim Porterfield commented on agenda items.

ADMINISTRATIVE BUSINESS:

David Van Parys addressed an error in Resolution 2021-36, a special use permit for a boat and RV storage indicating the physical address in the resolution is incorrect.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to adopt the amended Resolution 2021-36.

Motion passed, 4-0.

Commissioner Doug Smith disclosed all Commissioners received a letter regarding Flat Lands.

Commissioner Culbertson indicated he would reach out to the individual that sent the letter to work things out.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, November 24, 2021 as presented.

Motion passed, 4-0.

Amy Allison presented Case Number DEV-21-161 & 162, a preliminary and final plat for Grey's Corner.

The applicant, Ronald Grey commented.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to table the case until December 8th.

Motion failed, 2-2 Commissioners Culbertson and Kaaz voting nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Case Number DEV-21-161 & 162, a preliminary and final plat for Grey's Corner.

Motion failed, 0-4. All Commissioners voting nay, Case denied.

Larry Malbrough requested approval of the scope of work and agreement with ConvergeOne for phone upgrades.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the project and authorize the chairman to sign the scope of work and documents not to exceed \$86,524.00.

Motion passed, 4-0.

Mr. Malbrough requested the chairperson to sign the professional services task order #2 addendum with Olsson, Inc.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize the chairman to sign the attached Professional Services with Olsson not to exceed \$169,600.00.

Motion passed, 4-0.

Bill Noll indicated the Eisenhower Road project is wrapping up with a ribbon cutting ceremony on December 1.

Commissioner Doug Smith inquired how to change a minimal maintenance road to a County maintained road.

Mr. Noll indicated the road would be brought up to County standards then address it case by case if the Board accepts the road into County maintenance.

Commissioner Stieben inquired about the infrastructure bill that was passed and how to apply for those funds.

Mr. Noll indicated the County will need to apply directly to the state or federal government.

Commissioner Doug Smith attended the Basehor Mayor's Christmas Tree lighting and attended the MARC meeting via zoom.

Commissioner Stieben has been answering calls about constituent's tax bills.

Commissioner Kaaz participated in the Workforce Partnership meeting, walk through on the Eisenhower Road project and the Leavenworth City Commission meeting.

Joe Herring commented on a non-agenda item.

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

Motion passed, 4-0.

The Board adjourned at 10:19 a.m.