

*****December 1, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, December 1, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz, 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; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, Casey Worrall, Joe Herring, Matt Groves, Raymond and Lisa Reynolds, Kiann Caprice

PUBLIC COMMENT:

Joe Herring, Casey Worrall, Kiann Caprice and Raymond Reynolds commented on agenda items.

ADMINISTRATIVE BUSINESS:

Mark Loughry reminded the Board of the ribbon-cutting ceremony for the Eisenhower Road project this afternoon at 1:00 p.m.

Mr. Loughry reported the Health Department will be making changes to the weekly information they send out regarding COVID-19.

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

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to remove the check registry from the consent agenda.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the check registry.

Motion passed, 4-0. Commissioner Kaaz abstained.

Amy Allison presented Resolution 2021-52, a special use permit for a contractor's yard for Forever Fencing.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to deny Resolution 2021-52.

Motion failed, 1-3 Commissioner Doug Smith voting yes, Commissioner Culbertson abstained.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to table until December 22, 2021.

Motion passed, 4-1 Commissioner Doug Smith voting nay.

Ms. Allison presented Resolution 2021-53, a special use permit for CW Lawns.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve Resolution 2021-53, a special use permit for CW Lawns.

Motion passed, 5-0.

Ms. Allison presented Resolution 2021-54, a rezone request from RR-5 to RR-2.5 located on 246th St.

***A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve Resolution 2021-54 for a rezone request from RR-5 to RR-2.5 located on 246th Street.
Motion passed, 5-0.***

Ms. Allison presented Resolution 2021-55, a rezone request from B-2 to B-3 located 17800 State Ave.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Resolution 2021-55 a rezone from B-2 to B-3 at 17800 State Ave.
Motion passed, 5-0.***

Commissioner Mike Smith announced the Lansing Mayor's Christmas Tree Lighting will be Sunday at 6:00 p.m. at the Lansing Middle School.

Commissioner Doug Smith attended the Fairmount Township meeting.

Commissioner Stieben attended the swearing in of the new Lansing School Board members.

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

The Board adjourned at 9:50 a.m.

*****December 8, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, December 8, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Larry Malbrough, Information Systems Director; Andy Dedeke, Leavenworth County Sheriff; Bill Noll, Infrastructure and Construction Services; David Arteberry, Stifel, Nicolas and Co.; Gina Riekhof, Gilmore and Bell; John Richmeier, Leavenworth Times

Residents: AW Himpel, Joe Herring, John Matthews, Dennis Taylor, Connie Forge, Sherri Grogan

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry inquired if the Board would like a delegate a voting member for a Kansas Association of Counties special election on January 5, 2022.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to appoint Commissioner Culbertson to be the voting delegate for the Kansas Association of Counties.

Motion passed, 5-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to appoint Doug Smith as the alternative voting member.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, December 8, 2021 as presented.

Motion passed, 5-0.

David Arteberry with Stifel, Nicolas and Co. presented Resolution 2021-56, offering for sale of general obligation sales tax refunding bonds of Leavenworth County.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2021-56, authorizing the offering for sale general obligation sales tax refunding bonds of Leavenworth County

Motion passed, 5-0.

Larry Malbrough requested authorization to award the multi form authentication project to ConvergeOne.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to award the multi form authentication project to ConvergeOne and authorize the chairperson to sign the scope of work in an amount not to exceed \$15,416.40.

Motion passed, 5-0.

Andy Dedeke requested an exemption to County policy regarding the governing of personnel line item expenditures and allow payments of a bonus to employees in the classifications of detention officer, deputy sheriff and communications officer in an amount of \$79,000.00.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to allow exemption to County policy governing personnel line item expenditures and allow payments of a bonus to employees in classifications of detention officer, deputy sheriff and communications officer in the amount of \$79,000.00.

Motion passed, 5-0.

Sheriff Dedeker requested an exemption to County policy regarding the governing of personnel line item expenditures and allow a recruitment stipend in the amount of \$16,500.00.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to allow the Sheriff an exemption on County policy governing personnel line item expenditures and allow a recruitment stipend in an amount not to exceed \$16,500.00.

Motion passed, 5-0.

Bill Noll requested approval of the annual agreement to treat noxious weeds on state highway rights-of-way in Leavenworth County.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the annual agreement to treat noxious weeds on state highway rights-of-way in Leavenworth County.

Motion passed, 5-0.

Mr. Noll requested approval of the construction contract for the HP-19 bridge replacement project.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to approve the construction contract for the HP-19 bridge replacement project not to exceed \$1,669,686.35.

Motion passed, 5-0.

Commissioners attended the ribbon-cutting for the Eisenhower Road project last week.

Commissioner Doug Smith attended the Leavenworth City Commission meeting and will attend the Basehor City Council meeting tonight.

Commissioner Stieben announced the Dollar General Store in Linwood is now open.

Commissioner Culbertson attended the Easton City Council meeting on Monday evening.

Commissioner Kaaz attended the Leavenworth City Commission meeting.

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

Motion passed, 5-0.

The Board adjourned at 9:39 a.m.

*****December 8, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, December 8, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Janet Klasinski, County Clerk; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times;

Residents: Connie Forge, AW Himpel, Sherri Grogan, John Matthews, Dennis Taylor

A work session was held to discuss redistricting of the County Commission districts.

The Board ended the work session at 10:34 a.m.

Final Approved

*****December 15, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, December 15, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz, 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; Connie Harmon, Council on Aging Director; Janet Klasinski, County Clerk; Ed Hingula, Leavenworth City Commissioner-Elect; Mike Reilly, Reilly Insurance; John Richmeier, Leavenworth Times

Residents: AW Himpel, John Matthews, Dennis Taylor

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry announced a reception for Mayor Breuer of Basehor this afternoon at 4:30 p.m.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, December 15, 2021 as presented.

Motion passed, 5-0.

Mike Reilly presented a proposal from Traveler's Insurance for the County's 2022 insurance program.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to accept the proposal from Traveler's Insurance for the 2022 year.

Motion passed, 5-0.

Connie Harmon discussed a change in the fee schedule for the Senior Express Transportation.

Discussion took place regarding the redistricting of Commission districts.

Direction was given to staff to adopt the first map moving Alexandria Township to the 5th district and one precinct from the city of Leavenworth to the 1st District.

Commissioner Doug Smith attended a retirement celebration at the County Shop. He will attend the retirement celebration for Steve Jack on Friday and the reception for Mayor Dave Breuer this afternoon.

Commissioner Culbertson reported the city of Easton will pass a no jake-brake ordinance.

Commissioner Kaaz attended the Leavenworth City Commission meeting and a special Workforce Partnership meeting electing a new CEO.

Commissioner Mike Smith attended the American Legion Post Christmas dinner, attended the Leavenworth Fire District One meeting and met with Lansing City Administrator, Tim Vandall. He proposed Leavenworth County develop a coin that could be presented on special occasions such as retirements.

Commissioner Stieben indicated a school member from Basehor-Linwood will be drafting a letter to KDOT for reduction of speed in front of the new school on K-32.

Commissioner Kaaz announced the new director for the Alliance Against Family Violence.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben 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 meeting at 9:55 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 9:55 a.m. No action was taken, no decisions were made. The subject was limited to the legal interests of the County.

Commissioner Doug Smith inquired if the County receives a year- end report from outside agencies that the County has given contributions to reflecting what they have spent the funds on.

Mr. Loughry indicated he will develop a policy on charitable contributions with required accountability.

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

Motion passed, 5-0.

The Board adjourned at 9:57 a.m.

*****December 22, 2021*****

The Board of County Commissioners met in a regular session on Wednesday, December 22, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Janet Klasinski, County Clerk; Krystal Voth, Planning and Zoning Director; Kristen Wood, Goodwill; John Richmeier, Leavenworth Times

Residents: Joe Herring, Mike Goetz, Raymond and Lisa Reynolds, Kiann Caprice, John Matthews, Janette Labbee-Holdeman

PUBLIC COMMENT:

Raymond Reynolds and Kiann Caprice commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Mark Loughry requested the Roman Ridge plat be removed from the consent agenda.

Mr. Loughry recognized the County departments for making Leavenworth County successful throughout the year.

Commissioner Doug Smith recognized all of the retirees over the past year from Leavenworth County.

Commissioner Stieben requested an update from the County Health Officer next month.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the consent agenda for Wednesday, December 22, 2021 minus Case Number DEV-21-177 & 178 Roman Ridge Estates.

Motion passed, 5-0.

Krystal Voth reported the Roman Ridge plat needs a condition added to the face of the plat that it is within proximity to an active quarry.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to add the condition to the face of the plat that the lots are within proximity to an active quarry.

Motion passed, 5-0.

Kristen Wood presented a letter of support for the Goodwill of Western Missouri and Eastern Kansas to the U.S. Economic Development Administration to enhance workforce capacity.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the chairman to sign a letter of support for Goodwill Industries of Western Missouri and Kansas.

Motion passed, 5-0.

Janet Klasinski requested approval of budget amendments as presented.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve budget amendment document as presented by the County Clerk.

Motion passed, 5-0.

Ms. Klasinski presented Resolution 2021-57 that establishes the Commission districts for Leavenworth County.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve Resolution 2021-57, for the reapportionment of the County Commission Districts of Leavenworth County.

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

For purpose of discussion Commissioner Stieben made a motion and Commissioner Doug Smith seconded the motion.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve Resolution 2021-52, with additional conditions that there will be no burning allowed at all at the location and that all required documents be provided prior to the initiation of the resolution for a probationary period of one year.

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

Mac McCowan commented on a non-agenda item.

Kiann Caprice and Raymond Reynolds made additional comments.

Commissioner Culbertson met with Senator Rob Olson to discuss LAVTR, demand transfers and the 152 bridge.

Commissioner Kaaz wished everyone a safe holiday weekend.

Commissioner Mike Smith participated in gift giveaways with Unity in the Community.

Commissioner Doug Smith attended Mayor Dave Breuer's celebration party.

Commissioner Kaaz attended the retirement party for Steve Jack with LCDC.

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

Motion passed, 5-0.

The Board adjourned at 9:44 a.m.

*****December 29, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, December 29, 2021. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Doug Smith are present; Commissioner Kaaz and Commissioner Stieben present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Janet Klasinski, County Clerk; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

David Van Parys requested approval of amendments to the lease agreement with Behavioral Health at the Cushing Building.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to allow for the chair to enter into that agreement.

Motion passed, 5-0.

Mr. Van Parys reported on the opioid litigation proceeds.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to authorize the Senior County Counselor and County Administrator to sign anything by the end of the year on this matter.

Motion passed, 5-0.

Commissioner Doug Smith inquired if he violated any state statutes during last week's meeting in which he was accused of during public comment.

Mr. Van Parys indicated he was not aware of any violations and that the statement was not supported by any factual basis.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, December 29, 2021 as presented.

Motion passed, 5-0.

Janet Klasinski presented Board Order 2021-4, transferring funds from the Election Fund to the Equipment Reserve Election Fund.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Board Order 2021-4, transferring Elections funds to the Equipment Reserve Election fund in the amount of \$25,000.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-5, transferring funds from the General Fund to the Council on Aging.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Board Order 2021-5, transferring funds from the General Fund to the Council on Aging in the amount of \$160,000.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-6, transferring funds from the General Fund to the Capital Road Funds.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve Board Order 2021-6, transferring General Fund to the Capital Road Funds in the amount of \$390,789.05.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-7, transferring funds from the 2006 ten-year Sales Tax Fund to the General Fund.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Board Order 2021-7, transferring funds from the 2006 ten-year Sales Tax Fund to the General Fund in the amount of \$45,140.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-8, transferring funds from the Sheriff Department in General Fund to the Equipment Reserve Fund.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve Board Order 2021-8, transferring funds from the Sheriff Department in General Fund to the Equipment Reserve Fund in the amount of \$80,000.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-9, transferring funds from the Solid Waste Operating Fund to the Capital Improvement Fund.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve Board Order 2021-9, transferring funds from the Solid Waste to the Capital Improvement Fund in the amount of \$145,000.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-10, transferring funds from Sewer District #5 to General Fund/Special Building Maintenance.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Board Order 2021-10, transferring funds from Sewer District #5 to General Fund/ in the amount of \$8,624.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-11, transferring funds from Sewer District #2 to General Fund/Special Building Maintenance.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Board Order 2021-11, transferring funds from Sewer District #2 to General Fund/Special Building Maintenance in the amount of \$12,784.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-12, transferring funds from Sewer District #1 to General Fund/Special Building Maintenance.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Board Order 2021-12, transferring funds from Sewer District #1 to General Fund/Special Building Maintenance in the amount of \$15,456.00.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2021-13, transferring funds from the Road and Bridge Fund to the Capital Road Fund.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Board Order 2021-13, transferring funds from the Road and Bridge Fund to the Capital Road Fund in the amount of \$200,000.00.

Motion passed, 5-0.

Bill Noll requested to award bid on the design and construction engineering of the ST-100 project to Finney and TurnipSeed.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to award the design engineering and construction engineering of the ST-100 bridge project to Finney and TurnipSeed.

Motion passed, 5-0.

Mr. Noll requested to accept the State Fiscal Year 2022 Local Bridge Program for E-48 Bridge Replacement on 255th Street.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to pass motion for the E-48 bridge replacement on 255th Street with matching funds.

Motion passed, 5-0.

Krystal Voth presented Resolution 2021-58, a rezoning request from RR-5 to RR-2.5 located at 28181 207th Street.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2021-58, a rezoning from RR-5 to RR-2.5 located at 28181 207th St.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-59, a text amendment to Articles 3, 27(C) and 41 of the 2006 Leavenworth County Zoning and Subdivision Regulations.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve Resolution 2021-59, a text amendment to Articles 3,27 (C) and 41of the 2006 Leavenworth County Zoning and Subdivision Regulations.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-60, a renewal of a special use permit for Happy Trails Kennel located at 21918 227th Street.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve Resolution 2021-60, a renewal for a special use permit for Happy Trails Kennel located at 21918 227th Street.

Motion passed, 5-0.

Discussion took place regarding the submittals for the Regional Transportation Capital Improvement Plan Study.

It was the consensus of the Board to proceed with Kimley-Horn.

Commissioner Doug Smith attended the Fairmount Township meeting and he will speak to the Leavenworth County Southern Leadership program along with Commissioner Stieben.

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

Motion passed, 5-0.

The Board adjourned at 10:16 a.m.