

*****June 2, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 2, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz and Commissioner Culbertson are present; Commissioner Stieben is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director;

Residents: Kevin and Andrea Boden, Kelly Meyer, Colleen Keller, Tony Hill, Greg Ledford, AW Himpel, Charity Briggs, Ryan Gant, Dennis Taylor, John Matthews, Joe Herring

PUBLIC COMMENT:

Kelly Meyer, Colleen Keller, Charity Briggs and Joe Herring commented on agenda items.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported the United Way recognized the staff of Leavenworth County for their participation in the last fund-raising campaign.

Commissioner Doug Smith requested to remove the Ackerland Plat from the consent agenda.

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, June 2, 2021 minus Ackerland Hill plat and 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 of the consent agenda.

Motion passed 4-0, Commissioner Kaaz abstained.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the Ackerland Hill plat.

Motion passed, 4-0, Commissioner Doug Smith abstained.

Krystal Voth presented Resolution 2021-15, a rezoning request from RR-5 and B-3 to B-3 located on the corner of 207th and Springdale Road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to deny the rezoning of Resolution 2021-15, a request to rezone a parcel from expanding to B-3 zoning.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to waive the 1-year requirement for re-application for a rezoning specifically for a special use permit.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-16, a rezoning request from RR-5 to RR 2.5 located at the intersection of 177th Terrace and Seymore Road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-16, a request to rezone a tract from 5 acre to 2.5 acre residential.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-17, a special use permit for an indoor baseball training facility.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to deny Resolution 2021-17, a special use permit for an indoor training facility for youth baseball.

Motion passed, 3-2 Commissioner Culbertson and Commissioner Stieben voted nay.

Ms. Voth presented Resolution 2021-18, amendments to articles 41 and 43 of the Leavenworth County Zoning and Subdivision Regulations.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to table Resolution 2021-18 for two weeks to direct staff to come up with a footage for realignment of the intersection.

Motion passed, 5-0.

Commissioner Kaaz inquired if the Golden Factors explanation was needed for the denial of the special use permit for the baseball facility.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to reopen the denial of Resolution 2021-17, a special use permit for the Boden baseball facility, indoor training facility.

Motion failed, 3-2 Commissioner Kaaz and Commissioner Doug Smith voted aye.

Commissioner Kaaz met with a representative from United Way and participated in the Leavenworth City Council meeting.

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

Commissioner Culbertson attended the County Fire Chiefs meeting.

Commissioner Doug Smith will be attending the Kansas Association of Counties Annual Conference in Liberal, KS next week.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to recess for a closed executive meeting for 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 session at 10:20 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 10:20 a.m. No decisions were made and the subject was limited to the legal interests of the County.

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

Motion passed, 5-0.

The Board adjourned at 10:20 a.m.

*****June 9, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 9, 2021. Commissioner Mike Smith, Commissioner Kaaz and Commissioner Stieben are present; Commissioner Culbertson is present by phone; Commissioner Doug Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Connie Harmon, Council on Aging Director; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; Jamie VanHouten, Community Corrections Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, Matt Kaaz, Michael Foster

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith read a proclamation proclaiming June 15th as World Elder Abuse Awareness Day.

David Van Parys reported the city of Leavenworth approved the County's rezoning request of the former Cushing Hospital allowing the County to proceed with proper use of the building.

Mark Loughry updated the Board on the American Rescue Plan funding.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 9, 2021.

Motion passed, 4-0.

Jamie VanHouten requested appointment of two members to the Adult Community Corrections Advisory Board.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to nominate Jermaine Wilson to the Adult Community Corrections Advisory Board.

Motion passed, 4-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to nominate Jesse Johns to the Adult Community Corrections Advisory Board.

Motion passed, 4-0.

Bill Noll requested acceptance of the proposal for rock crushing at the Tonganoxie Quarry from Lexeco.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to accept the proposal for rock crushing from Lexeco.

Motion passed, 4-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to adjourn as the Board of County Commissioners and convene as the Leavenworth County Board of Health.

Motion passed, 4-0.

David Van Parys reported that a residence located in Easton has a failed septic system in which sewage has backed up into the home. He indicated a licensed professional has deemed the residence unsafe for human habitation.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith that the Board of Health declare the property located at 33811 243rd St., Easton, Kansas to be an imminent health hazard and should be deemed uninhabitable.

Motion passed, 4-0.

A motion was made by Commissioner Kaaz and seconded by commissioner Stieben to adjourn as the Leavenworth County Board of Health and reconvene as the Board of County Commissioners.

Motion passed, 4-0.

Commissioner Stieben reported he will hold a townhall meeting tomorrow evening in Linwood.

Commissioner Kaaz attended the Leavenworth City Commission meeting last night and participated in the Mental Health Task Force meeting.

Commissioner Culbertson met with township fire departments to find out the issue with pagers.

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

Motion passed, 4-0.

The Board adjourned at 9:24 a.m.

*****June 9, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, June 9, 2021. Commissioner Mike Smith, Commissioner Kaaz and Commissioner Stieben are present; Commissioner Culbertson is present by phone; Commissioner Doug Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; John Richmeier, Leavenworth Times

Residents: AW Himpel

A work session was held to discuss rezoning versus special use permits.

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

Final Approved

*****June 16, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 16, 2021. Commissioner Mike Smith, Commissioner Kaaz and Commissioner Doug Smith are present; Commissioner Stieben is present by phone; Commissioner Culbertson is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; Jamie Miller, EMS/Health Dept. Director; Aaron Yoakum, Buildings and Grounds

Residents: AW Himpel, Joe Herring, Louis Klemp, Mack McCowan, Kirsten Workman, April Cromer, Natalie Workman, John Matthews, Dennis Taylor, Natalie Workman

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith read a proclamation proclaiming June 19th as Juneteenth in Leavenworth County.

A request was made to designate a voting delegate for the National Association of Counties conference.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to designate Commissioner Culbertson as the voting delegate for the National Association of Counties conference.

Motion passed, 4-0.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 16, 2021 minus the check registry.

Motion passed, 4-0.

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

Motion passed, 3-0, Commissioner Kaaz abstained.

Jamie Miller requested the purchase of a high-fidelity manikin for training at EMS.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to authorize EMS to purchase a high-fidelity manikin from Gaurmard.

Motion passed, 4-0.

Aaron Yoakum requested acceptance of a bid for the conversion of the Juvenile Detention Center project.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the bid for the JDC conversion project to award to Paritrave Innovations in Overland Park, Kansas not to exceed awarded contractors bid and 10% contingency for unknown cost associated with variables not accounted for due to unknowns in walls during demolition.

Motion passed, 4-0.

Krystal Voth requested approval of Resolution 2021-18, amending Articles 41 and 43, access management policy and cross access easements of the 2006 Zoning and Subdivision Regulations.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Resolution 2021-18, amending Articles 41 and 43 of the Leavenworth County Zoning and Subdivision Regulations.

Motion passed, 4-0.

Bill Noll requested approval of Resolution 2021-19, endorsement of the projects applied for through the 2021 Access, Innovation and Collaboration Public Transportation Call for Projects.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Resolution 2021-19, endorsement of the projects applied for through the 2021 Access, Innovation and Collaboration Public Transportation Call for Projects.

Motion passed, 4-0.

Mr. Noll requested approval of Resolution 2021-20, placing a stop sign at the intersection of 219th St. and Kissinger Road.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve Resolution 2021-20, replacing a yield sign with a stop sign on Kissinger Road at the intersection of 219th Street and Kissinger Road.

Motion passed, 4-0.

Mark Loughry reminded the Board next Tuesday and wrap up on Wednesday afternoon will begin budget meetings

Commissioner Doug Smith attended the Kansas County Commissioners Association conference last week.

Commissioner Stieben inquired about the expiration of the Kansas State Wide Emergency Order and how that would affect Leavenworth County's open-ended order.

Mr. Loughry indicated we should leave it open to take advantage of access to resources, such as PPE, reimbursement for vaccination clinics and grant funding.

Commissioner Kaaz attended the Leavenworth City Commission meeting yesterday.

Mack McCowan, April Cromer, Kirsten Workman and Louis Klemp commented on non-agenda items.

Commissioner Stieben held a townhall meeting on Thursday.

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

Motion passed, 5-0.

The Board adjourned at 9:50 a.m.

*****June 22, 2021 *****

The Board of County Commissioners met in a budget hearing work session on Tuesday, June 22, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Linda Scheer, County Clerk's Office; John Richmeier, Leavenworth Times

The Board discussed the budget for Public Works to include Road and Bridge, Noxious Weed and Local Services Roads.

The Board discussed the budget for the County Attorney's Office.

The Board discussed the budget for the Register of Deeds.

The Board discussed the budget for Information Systems.

The Board recessed at 11:15 a.m. and will resume at 1:00 p.m.

The Board discussed the budget for the Leavenworth County Sheriff's Department.

The Board discussed the budget for EMS and the Health Department.

The Board discussed the budget for Buildings and Grounds to include the sewer districts.

The Board discussed the budget for Council on Aging.

The Board ended hearings at 2:45 p.m.

*****June 23, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 23, 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; Jim Sherley, Undersheriff; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

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

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reminded the Board there are a few more budget hearings after the meeting.

Commissioner Stieben inquired about Atmos Energy abandoning natural gas lines.

David Van Parys indicated a letter could be sent to the Kansas Corporation Commission expressing concern over the reduction of infrastructure in Leavenworth County.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to instruct the County Counselor to draft a letter to the Kansas Corporation Commission expressing concern about the reduction of infrastructure.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, June 23, 2021.

Motion passed, 5-0.

Jim Sherley requested acceptance of and the chairman's signature on the Byrne Grant Award.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve and have the chairman sign the Byrne Grant for the Leavenworth County Sheriff's Department.

Motion passed, 5-0.

Bill Noll requested to accept bid from Murphy Tractor for a 5-year lease for two articulating wheel loaders.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve the 5-year lease agreement replacing two articulating mowers for an annual payment of \$49,470.60.

Motion passed, 5-0.

Krystal Voth requested approval of Case Number DEV-21-030 and 031, a preliminary and final plat for Sunny Side Estates.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Case Number DEV-21-030 and 031 a preliminary and final plat for Sunny Side Estates.

Motion passed, 5-0.

AW Himpel commented on a non-agenda item.

Commissioner Culbertson will be meeting with Jeff Pittman and internet providers.

Commissioner Kaaz participated in the Workforce Partnership CEO meeting and the Leavenworth City Commission meeting.

Commissioner Mike Smith reported the city of Lansing will be having their fireworks show this year on July 3.

Commissioner Doug Smith will attend the Basehor City Council meeting tonight and the Fairmount Township meeting tomorrow night.

Commissioner Stieben attended the Tonganoxie 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: 27 a.m.

*****June 23, 2021*****

The Board of County Commissioners met in a work session on Wednesday, June 23, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Residents: John Matthews, Dennis Taylor, AW Himpel

A work session was held to discuss applicants for the Planning Commission.

The Board ended the work session at 10:07 a.m.

Final Approved

*****June 23, 2021 *****

The Board of County Commissioners met in a budget hearing work session on Wednesday, June 23, 2021. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Linda Scheer, County Clerk's Office; John Richmeier, Leavenworth Times

The Board discussed the budgets for Adult and Juvenile Community Corrections.

The Board ended hearings at 10:20 a.m.

Final Approved

*****June 30, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 30, 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; Bill Noll, Infrastructure and Construction Services; Chuck Magaha, Emergency Management Director; Aaron Yoakum, Buildings and Grounds Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, Walter and Karen Swieton, Suzanne Burgen, Wilma, Plake, Trent West, Tyler West, Joe Herring, Matt and Jenny Kessler, John Silverstein

PUBLIC COMMENT:

Karen Swieton, Walter Swieton, Suzanne Burgen, Wilma Plake and Trent West commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Mark Loughry inquired about the Board's participation in the Port Authority building meeting on a proposed date of July 8 at 10:00 a.m.

Commissioners Kaaz and Mike Smith will attend the Port Authority building meeting.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, June 30, 2021.

Motion passed, 5-0.

Aaron Yoakum requested the chairman's signature on an AIA contract with ACI Boland for design services on Cushing Hospital.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve and sign the AIA contract with ACI Boland for design services for the Cushing building.

Motion passed, 5-0.

Bill Noll requested the acceptance of a bid by CC&I Engineering for a construction contract for HRRR project 52-C-5058-01.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the bid by CC&I Engineering for construction contract for HRRR project 52-C-5058-01.

Motion passed, 5-0.

Krystal Voth presented Resolution 2021-21, a special use permit for a rezone from RR-2.5 to B-3 located at 19393 State Ave.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Resolution 2021-21, a request to rezone a tract of land located in the northeast quarter of section 12, township 11 south, range 21 east from RR 2.5 to B-3.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-22, a special use permit for an indoor athletic training facility for TNT Baseball Academy.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to deny Resolution 2021-22, a special use permit for an athletic training facility for TNT Baseball Academy.

Commissioner Kaaz read the Golden Factors rules for reason of denial.

Motion passed, 4-1 Commissioner Stieben voting nay.

Ms. Voth presented Resolution 2021-23, a special use permit for Elevated Archery.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve Resolution 2021-23, a special use permit for an archery range and pro shop for Elevated Archery.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-24, a rezone from RR-5 to RR-2.5 located at 254th and Conley Road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-24, a rezone from 5 acre to 2.5 acre located at the intersection of 254th and Conley Road

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to rescind the previous vote on the last motion.

Motion passed, 4-1 Commissioner Stieben voting nay.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to table Resolution 2021-24 for two weeks.

Motion passed, 5-0.

Ms. Voth clarified that the Board wishes the applicant to bring forward a restriction stating the lots will not be split further than the three lots.

Chuck Magaha requested the chairman's signature on the Emergency Management Performance Grant.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize the chairman to sign the Emergency Management Performance Grant.

Motion passed, 5-0.

Commissioner Doug Smith attended the Basehor City Council and the Fairmount Township meeting last week. He reported the city of Basehor will have their 4th of July celebration with a parade Sunday at 7:30 p.m. and fireworks at dark.

Commissioner Stieben attended the Tonganoxie City Council meeting and held a townhall meeting last week and will have another townhall meeting this evening.

Commissioner Culbertson reported he has been speaking with internet providers about grants that are available and met with Representative Lance Neely to discuss demand transfers.

Commissioner Mike Smith reported the city of Lansing will have their 4th of July celebration this Saturday.

Karen Swieton commented on a non-agenda item.

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

The Board adjourned at 10:28 a.m.

Final Approved

*****June 30, 2021 *****

The Board of County Commissioners met in a work session on Wednesday, June 30, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Chuck Magaha, Emergency Management Director; John Richmeier, Leavenworth Times

A work session was held to discuss the Hazard Mitigation Plan.

The Board ended the work session at 11:25 a.m.

Final Approved