

*****August 3, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, August 3, 2022. Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Commissioner Doug Smith present by phone; Commissioner Kaaz 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; Daniel Baumchen, County Surveyor; John Richmeier, Leavenworth Times

Residents: Dennis Taylor, John Matthews, Eric Janesko, Bobby Nolls

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Culbertson read a letter from Dennis Higgins regarding the condition of 199th Street.

Commissioner Culbertson reiterated the Commission had a consensus that the next batch of roads to get paved will be in the northern part of the County.

Janet Klasinski requested a random selection of precincts for the election audit indicating the audit will take place Friday at 10:00 a.m.

Two Commissioners randomly selected the precincts for the audit.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, August 3, 2022 as presented.

Motion passed, 4-0.

Bill Noll requested approval of Board Order 2022-5, appointing Daniel Baumchen as the County Surveyor.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to appoint Daniel Baumchen as the County Surveyor to include approval of Board Order 2022-5.

Motion passed, 4-0.

Connie Harmon requested approval and the chairman's signature on the notifications of grant approvals.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to authorize the chairman to sign three notification of grant approvals for Council on Aging's Older Americans Act and ARPA grant applications in 21 and 22.

Motion passed, 4-0.

David Van Parys requested approval of Resolution 2022-18, authorizing a rezoning of a certain tract of land and repealing two resolutions designated as Resolution 2019-25 and relating this resolution back to October 2, 2019.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve Resolution 2022-18 authorizing a rezoning of a certain tract of land and repealing two resolutions designated as Resolution 2019-25 and relating this resolution back to the date of 2nd of October 2019.

Motion passed, 4-0.

Krystal Voth presented Resolution 2022-16 a text amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations, Articles 3, 19 and 57 that incorporates the wind energy regulations.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve Resolution 2022-16 a text amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations, Articles 3, 19 and 57.

Motion passed, 4-0.

Ms. Voth presented Resolution 2022-17 a special use permit for Premier Lawn Services.

The applicant, Eric Janesko spoke.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to approve Resolution 2022-17, a special use permit for Premier Lawn Services.

Motion passed, 4-0.

Commissioner Doug Smith commented Senior Day at the Leavenworth County Fair had a big turnout.

Commissioner Stieben commented that he appreciates the support of the community and will do his best to represent them.

Commissioner Culbertson recapped that is was the consensus of the Board that once funds are available we start paving roads in the north end of the County.

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

Motion passed, 4-0.

The Board adjourned at 9:29 a.m.

*****August 10, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, August 10, 2022. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Mark Loughry, County Administrator is absent; Also present: David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times

Residents: Larry Van Fleet, Dave and Lisa Buehler, David and Linda French, Lance Neelly, John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Doug Smith announced the FEMA funds were received for the County.

Commissioner Doug Smith clarified his vote on a special use permit from last week.

Commissioner Doug Smith would like to revisit the Eagle Crossing subdivision road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, August 10, 2022 as presented.

Motion passed, 5-0.

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

Motion passed, 5-0.

Janet Klasinski updated the Board on the August 2, 2022 primary election.

The Board recessed at 9:29 a.m. for 30 minutes for the County Clerk to count the provisionals.

The Board returned at 10:06 a.m.

A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to adjourn as the Board of County Canvassers.

Motion passed, 5-0.

Bill Noll requested approval of an easement acquisition policy.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve the new amended land acquisition policy.

Motion passed, 5-0.

Commissioner Doug Smith will attend the Basehor City Council meeting and the Beef Improvement Dinner this Saturday at Murrfield Farms.

Commissioner Stieben will be meeting with Lisa Haack from LCDC this afternoon.

Commissioner Culbertson attended the Leavenworth City Commission meeting.

Commissioner Kaaz participated in the KCATA Board of Directors training in Salt Lake City, Utah. She attended the International Flag Ceremony, KCATA meeting and the Mental Health Task Force meeting.

Commissioner Mike Smith will speak at the Rotary Club meeting in November and met with the Lansing City Administrator. He mentioned lights will be going in Bernard Park and the city of Lansing will be placing the question of a sales tax for a pool on the ballot.

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

Motion passed, 5-0.

Ms. Klasinski reported there were 257 provisionals indicating they did not make any difference with the races in Leavenworth County.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to accept the votes from the August 2, 2022 Primary Election.

Motion passed, 5-0.

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

Motion passed, 5-0.

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

Motion passed, 5-0.

The Board adjourned at 10:23 a.m.

*****August 17, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, August 17, 2022. 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; Janet Klasinski, County Clerk; Jamie VanHouten, Community Corrections Director; Larry Malbrough, Information Systems Director; Bill Noll, Infrastructure and Construction Services; Todd Thompson, County Attorney; Edna Wagner and William Wallace with the Richard Allen Cultural Center; Joanna Schultz, Dave York, Tony Majors, Carla Wieggers and Alyssa Wieggers with the Equal Justice Initiative Coalition; John Richmeier, Leavenworth Times

Residents: John Matthews, Larry Van Fleet, Louis Klemp

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry updated the Board on the agreement with a contractor on the Eagle Crossing Subdivision.

Larry Van Fleet, contractor, spoke.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize Olsson to go back out and review the asphalt at the contractor's expense.

Motion passed, 3-2 Commissioner Kaaz and Commissioner Mike Smith voting nay.

Commissioner Doug Smith read a thank you note from the Himpel family.

Commissioner Stieben inquired if a special use permit applicant has not paid their property taxes in Wyandotte County how does that affect the status of the permit.

David Van Parys indicated a certificate of compliance with taxes would be required during the process of issuing a special use permit. He reported since the delinquent taxes are in Wyandotte County he does not feel it can be connected with the Leavenworth County permit.

Commissioner Stieben would like the Board to consider forming a task force dealing with property taxes.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, August 17, 2022 as presented.

Motion passed, 5-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to appoint Carol Floyd to be the Township Treasurer to fill out the remainder of the term of Andy Stafford.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to appoint Jim Watts to the Board for Treasurer of Sherman Township.

Motion passed, 5-0.

Larry Malbrough presented an agreement renewal with Spectrum for trunking circuit.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to renew the agreement with Spectrum for the trunking circuit.

Motion passed, 5-0.

Jamie VanHouten requested approval of budge line adjustments for FY22 and approval of the carryover reimbursement budget for FY23 for Adult and Juvenile Community Corrections.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve the adult and juvenile Community Corrections budge line adjustments for FY22.

Motion passed, 5-0.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve the carryover reimbursement budget for FY23.

Motion passed, 5-0.

Sonya Murphy requested approval of funding for furniture for the County Extension Office in the amount of \$24,200.00.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve the funding request for furniture for the County Extension Office for \$24,200.00.

Motion passed, 3-2, Commissioner Kaaz and Commissioner Doug Smith voting nay.

Joanna Schultz with the Equal Justice Initiative Coalition, requested the placement of a historical marker at the Courthouse.

It was the consensus of the Board to form a committee to draft a policy for the placement of markers at the Courthouse and will address this request by the end of the year.

Mr. Loughry presented two letters of support for applications for grants for broadband internet indicating one request involves funding.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve a letter of support for Midco Broadband.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve a letter of support for Charter Communications.

Motion passed, 5-0.

Chad Higdon with Second Harvest discussed projects and services provided to Leavenworth County.

Louis Klemp commented on a non-agenda item.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to recess for a closed executive meeting for the discussion of pending 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 Board resume open meeting at

***11:30 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Commissioner Stieben, Senior County Counselor David Van Parys, County Administrator Mark Loughry and attorney Andrew Holder.
Motion passed, 5-0.***

The Board returned to regular session at 11:30 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

Commissioner Stieben met with Lisa Haack from LCDC.

Commissioner Culbertson met with taxpayers at Hilltop Market.

Commissioner Kaaz attended the LCDC meeting and the Leavenworth City Commission meeting.

Commissioner Doug Smith attended the Basehor City Council meeting and the ribbon cutting of the new Linwood Elementary School. He also attended a livestock dinner at Murrfield Farms.

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

The Board adjourned at 11:31 a.m.

*****August 24, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, August 24, 2022. 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; Janet Klasinski, County Clerk; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Residents: Dennis Taylor, John Matthews, Louis Klemp, Robert Owens, Wes Baker, Brenda Miller, Linda Huggins, Michael Payton, Joe Matzeder, Richard Faulker Jack Hund, Richard Van Tuyl, Wally Brawner, Tom Trowbridge, Jerry Mason, Cathy and Dan Gilewitch, Dave Landis, Jeff Brandau, Robert Kant, Eric McMillin, George Ninemeyer, Lance Neely

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, August 24, 2022 as presented.
Motion passed, 5-0.***

Resolution 2022-19, a resolution to levy a property tax rate exceeding the revenue neutral rate was presented.

Commissioner Mike Smith opened the public hearing.

Louis Klemp Eric McMillin, Robert Owens, Wes Baker, Brenda Miller, Linda Huggins, Michael Payton, Richard Faulkner, Jeff Brandau, Joe Matzeder, Dave Landis, George Ninemeyer and Lance Neeley spoke.

Commissioner Mike Smith closed the public hearing for Resolution 2022-19.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve Resolution 2022-19, a resolution to levy a property tax rate exceeding the revenue neutral rate.
Motion passed, 4-1 Commissioner Stieben noting nay.***

Commissioner Mike Smith opened the public hearing.

The Leavenworth County Funds Budget for 2023 was presented.

Louis Klemp, Eric McMillin, Robert Owens, Linda Huggins and Richard Faulkner spoke.

Commissioner Mike Smith closed the public hearing.

A motion was made by Commissioner Stieben to return this budget back to our County Administrator for him to propose alternatives for us to reduce the budget in a work session and then conduct a future public hearing to at least reduce the mill by one full mill as we had presented to the city of Leavenworth.

Motion dies for lack for a second.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to reduce the mill levy by $\frac{3}{4}$ of a mill.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to look at this budget again and have a work session and see where the cuts can be made and come back.

Motion passed, 5-0.

Resolution 2022-20, a resolution to levy a property tax rate exceeding the revenue neutral rate for Leavenworth County Special Other Funds for 2023 was presented for approval.

Commissioner Mike Smith opened the public hearing.

Eric McMillin and Louis Klemp spoke.

Commissioner Mike Smith closed the public hearing.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to approve Resolution 2022-20, a resolution to levy a property tax rate exceeding the revenue neutral rate for the Leavenworth County Special Other Funds for the tax year 2023.

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

Commissioner Mike Smith opened the public hearing.

No one spoke in opposition or in favor.

Commissioner Mike Smith closed the public hearing.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to table the Leavenworth County Special Other Funds Budget for 2023.

Motion passed, 5-0.

Commissioner Culbertson attended the MARC meeting yesterday.

Commissioner Kaaz participated in the Workforce Partnership meeting and attended the KCATA meeting.

Commissioner Mike Smith met with Jake LaTurner's advisor, Jeff Kahrs.

Commissioner Doug Smith thanked Representative Lance Neely for attending today's meeting. He will attend the Basehor City Council meeting and the Fairmount Township meeting.

Commissioner Stieben spoke with a member from Sherman Township Fire Department. He indicated he is putting together a local property tax taskforce.

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

Motion passed, 5-0.

The Board adjourned at 10:59 a.m.

*****August 31, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, August 31, 2022. 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; Janet Klasinski, County Clerk; John Richmeier, Leavenworth Times

Residents: Dennis Higgins, Dennis Taylor, John Matthews, Wes Baker

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith recognized the passing of Ada Young from the city of Lansing.

David Van Parys reported the Court of Appeals made a ruling on the Kaw Valley appeal indicating the matter has been remanded back to the County for refinement of the term "County standards."

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, August 31, 2022 as presented.

Motion passed, 5-0.

Dennis Higgins commented on a non-agenda item.

Commissioner Kaaz participated in the KCATA and the Port Authority meeting.

Commissioner Mike Smith indicated the city of Lansing held a special meeting for the purchase of land to build a pool which will be placed on the ballot in November.

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

Commissioner Stieben indicated he will be speaking September 15th at the Elephant Club with Senator Tyson. He will be holding a property tax meeting September 29th at the Tonganoxie Public Library.

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

Motion passed, 5-0.

The Board adjourned at 9:14 a.m.

*****August 31, 2022*****

The Board of County Commissioners met in a work session on Wednesday, August 31, 2022. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times

Work sessions were held to discuss the 2023 Leavenworth County Budget, sign regulations and the Water Feasibility Study.

The work session ended at 10:24 a.m.

Final Approved