

*****August 1, 2023 *****

The Board of County Commissioners met in a work session on Tuesday, August 1, 2023. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; John Jacobson, Planning and Zoning Director; Kyle Anderson, Code Enforcement Officer

Members of the Building Codes Committee present: Timothy Smith, Zachary Stoltenberg, Dale Thomas and Dave Clevenger

Also present: Joe Herring, Dan Lynch, Justin Kearney

The Board held a joint work session with the Building Codes Committee to discuss code version to use and code enforcement options.

Direction was given to staff to move forward with requiring stamped plans affidavit for commercial only, issuance of certificate of occupancy for commercial permits and reviewing the 2012 codes for potential adoption.

The Board ended the work session at 4:38 p.m.

Final Approved

*****August 2, 2023*****

The Board of County Commissioners met in a regular session on Wednesday, August 2, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith and Commissioner Culbertson are present Commissioner Stieben is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Janet Klasinski, County Clerk; Connie Harmon, Council on Aging; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: Joe Herring, Linda Hui, Bob Heckman

PUBLIC COMMENT:

Joe Herring commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz recognized TerriLois Mashburn for receiving her certified Register of Deeds certificate.

Commissioner Doug Smith reported the legislation for water districts to bid on road projects failed. He requested a consensus of the Board for a letter of support to be resubmitted by Representative Tim Johnson.

It was the consensus of the Board to resubmit a letter of support.

Commissioner Culbertson has been working with KAC regarding LAVTR indicating they are printing articles in their newsletters educating the public on LAVTR.

Commissioner Mike Smith will be interviewed on Monday through the city of Lansing and will be discussing LAVTR.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 2, 2023 as presented.

Motion passed, 4-0.

Janet Klasinski requested to set the public hearing date for the Leavenworth County Budget.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to set the public hearing for the Leavenworth County Budget on August 23, 2023 at 9:00 a.m.

Motion passed, 4-0.

Connie Harmon requested approval of a contract with West Haven Baptist Church for a congregate dining site.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the dining center contract with Council on Aging and West Haven Baptist Church in Tonganoxie.

Motion passed, 4-0.

Amy Allison requested approval of Resolution 2023-20, amending Articles 3, 35, 40, 43, 50, 56, 60, 70, 80 and 85 of the 2006 Leavenworth County Zoning and Subdivision Regulations.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-20, amending Articles 3, 35, 40, 43, 50, 56, 60, 70, 80 and 85 of the 2006 Leavenworth County Zoning and Subdivision Regulations.

Motion passed, 3-1 Commissioner Doug Smith voting nay.

Bill Noll requested approval of an agreement with FHWA for cost share with KDOT for Federal Safe Streets for All study.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve an agreement with the Federal Highway Administration for 80% cost of the Federal Safe Streets for All study with Leavenworth County paying 10% of the cost in the amount of \$35,000.00.

Motion passed, 4-0.

Linda Hui commented on a non-agenda item.

A motion was made by Commissioner Doug Smith that the Board recess for a closed executive session for a preliminary discussion on the acquisition of real property as justified by K.S.A. 75-4319 (b)(6) and that this Board resume open session in this meeting room at 10:20 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith and present also will be County Administrator Mark Loughry and Senior County Counselor David Van Parys and Bill Noll.

Bob Heckman commented on a non-agenda item.

Commissioner Culbertson seconded the motion.

Motion passed, 4-0.

The Board returned to regular session at 10:20 a.m. No decisions were made, discussion was limited to preliminary discussion of acquisition of real property.

Commissioner Doug Smith attended the Leavenworth County Fair to include Senior Day for the Council on Aging.

Commissioners Culbertson, Mike Smith and Kaaz participated in a Zoom meeting on LAVTR (demand transfers).

Commissioners Mike Smith will participate in the Lip Sync Contest for the Chamber of Commerce this Saturday at 6:00 p.m. at the Eagles.

Commissioners Kaaz attended a Transit Authority meeting. The Commissioners held a work session with the Building Codes Committee yesterday.

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

Motion passed, 4-0.

The Board adjourned at 10:21 a.m.

*****August 9, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, August 9, 2023. Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Commissioner Kaaz is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben for Jeff Culbertson to act as temporary chair for today's meeting.

Motion passed, 4-0.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported on calls received regarding road striping on county roads. He indicated there is a gap of time between when the road work is done and when the striping occurs since the county contracts that out.

Commissioner Stieben inquired about statutory required funding and discretionary funding for elected officials and what authority the Commissioners hold with regards.

David Van Parys indicated there is no specific statute that sets out a funding formula.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 9, 2023 as presented.

Motion passed, 4-0.

The Board discussed a speed study for 222nd and Kansas Avenue.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to instruct staff to take the necessary steps to implement the recommendations of the speed study to include limitations of speed at 35 miles per hour and additional signage as specified.

Motion passed, 3-1 Commissioner Doug Smith voting nay.

The Board discussed 158th SWPPP closure review.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to authorize Public Works to get a quote from a contractor to seed 158th Street.

Motion passed, 4-0.

Commissioner Doug Smith will attend the Basehor City Council meeting and attended the Lip Sync fundraiser for the Chamber of Commerce.

Commissioner Stieben will attend the Farm Bureau dinner.

Commissioner Mike Smith was interviewed Monday for the Lansing government channel.

Commissioner Culbertson attended the Easton City Council meeting and the Leavenworth City Commission meeting.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to adjourn.
Motion passed, 4-0.***

The Board adjourned at 9:38 a.m.

Final Approved

*****August 16, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, August 16, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Connie Harmon, Council on Aging Director; Bill Noll, Infrastructure and Construction Services; Jamie Miller, EMS Director; Sonya Murphy, Extension Office; Trent Peter, Extension Office; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: John Matthews, Greg Kaaz

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben inquired if any elected official has implemented substantial adjustments to salaries since the budget process.

Mark Loughry answered yes.

Commissioner Culbertson inquired about adding reflective tabs to the roads that were newly chip and sealed.

Bill Noll explained the process of the reflective tabs indicating the striping will start next week.

Commissioner Doug Smith asked if the funding of the court appointed attorney's come out of the County Counselor's budget.

David Van Parys indicated that the fees are paid out of his budget.

Commissioner Doug Smith requested the check registry be removed from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 16, 2023 minus the check registry.

Motion passed, 5-0.

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

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

Sonya Murphy and Trent Peter presented the 2024 Leavenworth County Extension Office budget for approval.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve the 2024 budget for the Leavenworth County Extension Office.

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

Connie Harmon requested approval of a contract with Basehor United Methodist Church for a dining center.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a contract with Council on Aging and the Basehor United Methodist Church for a dining center.
Motion passed, 5-0.***

Mr. Van Parys presented an agreement with EMS and Saint John Hospital for on campus transports.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve an agreement with EMS and Saint John Hospital for on campus transports.
Motion passed, 5-0.***

Mark Loughry presented a policy for funding for outside agencies.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve the outside agency funding policy.
Motion passed, 3-2, Commissioners Kaaz and Doug Smith voting nay.***

Bill Noll requested to allow Public Works to accept 178th Street and Stillwell Road as recommended.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to direct staff to work with Olsson to do an inspection and make a suggestion if any, on what it would take to accept that roadway at the expense of the contractor or the developer.
Motion passed, 5-0.***

Jeff McKerrow with Kimley-Horn presented the regional capital improvement plan.

Mr. Noll requested approval of Resolution 2023-21, accepting the progress for priorities regional transportation capital improvements plan.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve Resolution 2023-21, accepting the progress for priorities regional transportation capital improvements plan.
Motion passed, 5-0.***

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that this 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 Board resume open meeting at 10:55 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor David Van Parys and County Administrator Mark Loughry and others that may be called by the Board.
Motion passed, 5-0.***

The Board returned to regular session at 10:55 a.m. No action was taken and no decisions were made. The subject was limited to legal matters of the County.

Commissioner Stieben met with Jake LaTurner and he will speak at the Elephant Club tomorrow evening.

Commissioner Culbertson will be scheduling a meeting with Jake LaTurner. He will also be meeting with Representative Buehler.

Commissioner Mike Smith met with Lansing city manager Tim Vandall and indicated he will be presenting information on LAVTR to the Lansing City Council. He reminded the Board the County Administrator's evaluation is due next Wednesday. He indicated the Courthouse participated in city selfie day on Tuesday.

Commissioner Kaaz met with Jake LaTurner through the KCATA and participated in the finance committee meeting for the KCATA. She attended the Port Authority meeting yesterday.

Commissioner Doug Smith attended the Basehor City Council meeting. He will attend the Kansas Livestock Association event on Saturday.

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

The Board adjourned at 10:59 a.m.

Final Approved

*****August 23, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, August 23, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Linda Scheer, County Clerk's Office; Jamie Miller, EMS Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Jamie Miller requested approval of a workforce development grant application for retention and recruitment for public health.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to authorize Mr. Miller to apply for the grant for \$154,000.00.

Motion passed, 5-0.

Commissioner Doug Smith recognized the Leavenworth County Treasurer's audit for scoring highest in the state.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 23, as presented.

Motion passed, 5-0.

Resolution 2023-22 levying a property tax rate exceeding the revenue neutral rate for the tax year of 2023 was presented.

Mark Loughry presented a budget presentation.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to open the public hearing for Resolution 2023-22 and the Leavenworth County Budget.

Motion passed, 5-0.

Mike Mathews, Eric McMillin, Erin Ellsworth, Jeffrey Boddy, John Cash, Paul Cowan, Douglas Palmer, Sherri Grogan, Maddie Waldeck, Tom Trowbridge and Joe Matzeder spoke.

Commissioner Kaaz closed the public hearing.

A motion was made by Commissioner Stieben to reduce the Fair board by \$1,800, the Fair board premium amount reduced by \$2,600.00, reduce the CASA board from \$70,000 to \$50,000 in funding for a \$20,000 reduction, the Alliance Against Family Violence from a \$40,000 to a \$30,000 request for a \$10,000 reduction and reduce the Leavenworth County Port Authority from \$149,000 to \$100,000 which is a \$49,000 reduction for a total reduction in outside agency funding of \$99,600.

Motion dies for lack of second.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to reduce the Fair Board by \$18,000 and the Fair Board premium by \$2,600 for a reduction of \$20,600.

Motion passed, 5-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to reduce CASA by \$20,000, Alliance by \$10,000 and the Leavenworth County Port Authority by \$49,000 for a total of \$79,000.

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

A motion was made by Commissioner Stieben to retain the administrative staff of the County Attorney's Office to 25 employees with a savings of \$60,000 and reducing the Sheriff's carryover from \$447,000 by \$200,000 with a total of \$260,000 in savings.

Motion dies for a lack of second.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to reduce the overall mill levy by one sixteenth which results in \$62,000 worth of funding reduction to offset the increase in the mill levy in the service roads.

Motion passed, 3-2 Commissioners Culbertson and Kaaz voting nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that Riverside Resources and Sparrow Clinic that we don't fund them.

Motion passed, 3-2 Commissioners Kaaz and Stieben voting nay.

A motion was made by Commissioner Doug Smith to cut the Alliance and cut CASA, cut Soil Conservation except for what the State match is and Economic Development.

The motion was seconded by Commissioner Stieben for purpose of discussion.

Motion failed, 4-1, Commissioners Culbertson, Mike Smith, Kaaz and Stieben voting nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2023-22 levying a property tax rate exceeding the revenue neutral rate.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve the Leavenworth County budget for 2024 as amended.

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

Resolution 2023-23, levying a property tax rate exceeding the revenue neutral rate for the Leavenworth County Special Other Funds budget and the Leavenworth County Special Other Funds budget was presented.

Commissioner Kaaz opened the public hearing.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to open the public hearing for the exceeding the revenue neutral rate for the Leavenworth County Special Other Funds and the Leavenworth County Special Other Funds budget.

Motion passed, 5-0.

Mike Mathews, Eric McMillin, Joe Matzeder and Byron McFee spoke.

Commissioner Kaaz closed the public hearing.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve Resolution 2023-23 a resolution to levy a property tax rate exceeding the revenue neutral rate for Leavenworth County Special Other Funds budget.

Motion passed, 4-1 Commissioner Stieben voting nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the Leavenworth County Special Other Funds budget for 2024.

Motion passed, 4-1 Commissioner Stieben voting nay.

Bill Noll presented a supplemental agreement with KDOT for maintenance costs on George Road.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve a supplemental agreement with KDOT for maintenance costs on George Road.

Motion passed, 5-0.

Commissioner Culbertson met with Representative Bueheler to discuss LAVTR, PILOT checks, SCR Bill 1611, Bridge 152 project and House Bill 17. He will also be meeting with Jake LaTurner to discuss the same topics.

Commissioner Mike Smith thanked the Human Resources department during open enrollment and reminded the Board that the evaluation for the County Administrator is due today.

Commissioner Doug Smith attended the Kansas Livestock Beef Improvement Dinner and the MARC meeting. He will attend the Basehor City Council budget meeting this evening and the Fairmount Township meeting tomorrow night.

Commissioner Stieben met with Jake LaTurner at the Elephant Club. The Property Tax Task Force will meet September 7 at the Tonganoxie Public Library.

Commissioner Kaaz attended the Workforce Partnership Board of Directors and CEO meeting yesterday. She also participated in the Guidance Center Advisory Board meeting and a Transit Authority meeting.

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

Motion passed, 5-0.

The Board adjourned at 10:52 a.m.

*****August 30, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, August 30, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Connie Harmon, Council on Aging Director; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: Joe Herring, John Matthews, Cindy Lynch

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry presented a request from the Veteran's Day Parade Committee to assist in the cost of a porta-a-potty for the parade.

It was the consensus of the Board that each Commissioner will make a donation for the cost of the porta-a-potty.

Commissioner Doug Smith presented a letter from Representative Johnson regarding legislation that he plans to follow through with and inquired of the Board if any changes are needed.

Commissioner Stieben read a letter from Riverside Resources and Sparrow Clinic regarding the funding cut their organizations received.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, August 30, as presented.

Motion passed, 5-0.

Amy Allison presented Case Number DEV-23-109 a temporary special use permit for Whiskey Ridge Event Center.

Commissioner Kaaz opened the public hearing.

No one spoke in oppositions or in favor of the temporary special use permit.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve Case Number DEV-23-109 a temporary special use permit for Whiskey Ridge Event Center.

Motion passed, 5-0.

Connie Harmon requested approval of a MOU with the University of Kansas for continuing education classes for the Leisure and Learning program.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve the Council on Aging to enter a memorandum of agreement with the University of Kansas for continuing education classes for the Leisure and Learning program.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben that this 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 Board resume open meeting at 10:00 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor, David Van Parys and County Administrator Mark Loughry and others that may be called by the Board.
Motion passed, 5-0.

The Board returned to regular session at 10:00 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that this Board recess from open session and go into a closed executive session to discuss personnel matters of non-elected personnel as justified by K.S.A. 75-4319(b)(1) and to protect the privacy interests of the persons involved and that this Board resume open session in this meeting room at 10:20 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith, Mike Stieben and County Administrator Mark Loughry.
Motion passed, 5-0.

The Board returned to regular session at 10:20 a.m. No action was taken no decisions were made. The subject was limited to non-elected personnel.

Commissioner Mike Smith will speak to the city of Lansing about LAVTR on September 21 and will also be meeting with Representative Buehler.

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

Commissioner Stieben will hold a Property Tax Task force meeting on September 7 at the Tonganoxie Public Library. He will be traveling to Topeka today to visit the Kansas County Commissioners Association to get LAVTR on their lobbyist agenda.

Commissioner Doug Smith mentioned Senator Tyson will be in Basehor on September 16 at 10:00 a.m. at the Basehor Library.

Commissioner Kaaz attended the Centennial Bridge open house. She attended the CASA superhero fund raiser event and the LV Arts event.

Commissioner Culbertson will meet with Parkville officials about the 152 bridge and will meet with the Kansas Association of Counties legislative policy committee via Zoom to discuss LAVTR.

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

Motion passed, 5-0.

The Board adjourned at 10:27 a.m.

*****August 30, 2023 *****

The Board of County Commissioners met in a work session on Wednesday, August 30, 2023. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator

The Board held a work session to discuss editing an article for the paper regarding LAVTR.

Commissioners Culbertson will work on edits discussed.

The Board ended the work session at 10:57 a.m.

Final Approved