

*****June 5, 2023 *****

The Board of County Commissioners met at a town hall meeting on Monday, June 5, 2023. Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Commissioner Mike Smith is absent; Also present: Mark Loughry, County Administrator; Janet Klasinski, County Clerk

The Board attended a town hall meeting on June 5, 2023 at the Heritage Center.

Jerry Overby introduced the elected officials and individuals who have filed for positions.

Janet Klasinski spoke about the election process, candidates that have filed for positions, the presidential primary in 2024 and answered questions about a recall on a Leavenworth School Board member.

Senator Caryn Tyson presented an overview of Senate bills throughout the year.

Senator Tyson answered questions.

Commissioner Stieben commented on the tornado bill and HB2036.

Senator Tyson finished questions at 8:50 p.m.

Jerry Overby made closing statements.

The Town Hall ended at approximately 8:55 p.m.

*****June 7, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, June 7, 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; John Jacobson, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; Larry Malbrough, Information Systems Director; Jamie VanHouten, Community Corrections Director; Connie Harmon, Council on Aging Director; John Richmeier, Leavenworth Times

Residents: Eric McMillin, Curtis Oroke, Greg Kaaz, John Callaghan

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry announced the County received cost share funds for the 235th Street project.

The Board briefly discussed the K-16 and George Road detours.

A motion was made by Commissioner Stieben to close George Road at K-16 for 30 days, the Public Works director, the Sheriff and County staff sit down and talks about what the speed limit is going to be or if any road work needs done on the road and then re-evaluate the situation in order to protect the safety, public health and welfare of the residents of that area as per the petitions that I have been presented with.

Motion dies for lack of a second.

Direction was given to staff to bring back a traffic count and the number of citations written or number of stops on George Road.

Commissioner Doug Smith clarified the survey sent out by Commissioner Stieben was not on behalf of the Board but by Commissioner Stieben only.

Connie Harmon requested acceptance of a grant in the amount of \$62,993.00 to aid in any budget shortfall in the nutrition program.

A motion was made by Commissioner Kaaz and seconded by Commissioner Culbertson to approve Connie signing the application for funding.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 7, 2023 as presented.

Motion passed, 5-0.

Larry Malbrough requested approval of amendments to the acceptable use policy.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the amendments to the acceptable use policy for the Information Systems Department.

Motion passed, 5-0.

Jamie VanHouten requested approval to establish a cognitive program facilitator utilizing the opiate settlement funding.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Community Corrections to utilize opioid settlement funding from Municipalities Fighting Addiction Fund to establish a cognitive program facilitator.

Motion passed, 5-0.

Amy Allison presented Resolution 2023-11, a request for a special use permit for a soil borrow site for Lexeco.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve Resolution 2023-11, a request for a special use permit for soil borrow site and clean rubble landfill for Lexeco.

Motion passed, 4-0, Commissioner Kaaz abstained.

Ms. Allison presented Resolution 2023-12, a request for a special use permit for Horses and Heroes.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve Resolution 2023-12, a request for a special use permit for Horses and Heroes, Inc.

Motion passed, 5-0.

Bill Noll requested approval of the construction contract for the E-48 bridge replacement project with Dondlinger Construction.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to approve the construction contract for E-48 bridge replacement project from Dondlinger Construction.

Motion passed, 5-0.

Mr. Noll requested to accept the HRRR program awards for Tonganoxie Road safety improvement project.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to accept the High- Risk Rural Roads program award for Tonganoxie Road safety project for year 2025 and approve the project programming request form.

Motion passed, 5-0.

Commissioner Culbertson presented a resolution for high pressure natural gas lines.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve Resolution 2023-13, a resolution of the Board of County Commissioners of the County of Leavenworth, Kansas pursuant to the home rule powers granted them by the provisions of K.S.A. 19-101 and 19-101a, adopting certain regulations regarding high pressure natural gas pipelines located within Leavenworth County.

Motion passed, 5-0.

Eric McMillin, John Callaghan and Curtis Oroke commented on non-agenda items.

The Board attended a town hall on June 5th with Senator Tyson.

Commissioner Stieben will be attending the Juneteenth celebration at Haymarket Square.

Commissioner Kaaz mentioned as part of the Juneteenth celebration a video will be presented at the Richard Allen Cultural Center that afternoon of the Buffalo Soldiers. She also reported the evening before will be a plaque placed in dedication to a lynching at the Richard Allen Cultural Center.

Commissioner Stieben will be speaking at the Tonganoxie Historical Society tomorrow.

Commissioner Mike Smith attended the VFW dedication at Bernard Park.

Commissioner Kaaz reported the Leavenworth Historical Society will hold a fundraiser on June 17th at the Riverfront Community Center.

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

Motion passed, 5-0.

The Board adjourned at 10:56 a.m.

Final Approved

*****June 7, 2023 *****

The Board of County Commissioners met in a work session on Wednesday, June 7, 2023. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services

The Board held a work session to discuss 222nd Street and Kansas Ave.

The Board ended the work session at 11:40 a.m.

Final Approved

*****June 13, 2023 *****

The Board of County Commissioners met in a budget work sessions on Tuesday, June 13, 2023. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Janet Klasinski, County Clerk; Connie Harmon, Council on Aging Director; Larry Malbrough, Information Systems Director; Jamie VanHouten, Community Corrections Director; John Jacobson, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

The Board discussed the budget for Council on Aging.

The Board discussed the budget for the County Clerk to include Elections.

The Board discussed the budget for Information Systems.

The Board discussed the budget for Community Corrections.

The Board discussed the budget for Planning and Zoning.

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

The Board ended hearings at 11:56 a.m.

*****June 14, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, June 14, 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; Helen Klinkenberg, Deputy County Clerk; Bill Noll, Infrastructure and Construction Services; Connie Harmon, Council on Aging Director; David Frese, Mayor of Tonganoxie; John Richmeier, Leavenworth Times

Residents: Sherri Grogan, Brad Owens

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz read a proclamation recognizing World Elder Abuse Awareness Day.

The Board briefly discussed the town hall meeting with Senator Tyson from June 5th.

The Board discussed the traffic on George Road.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve a resolution to amend Leavenworth County Resolution 1998-26 to allow for temporary adjustment to speed limits and signage on Leavenworth County roadways; whereas from time to time it may be necessary to adjust traffic speed and signage on Leavenworth County roads on a temporary basis during road construction and road projects to protect the safety of the traveling public and pedestrians on county roads now therefor be it resolved 1) New section (4) shall be established under the resolved statement of the Leavenworth County Resolution 1998-26: (4) in special circumstances or during road construction projects, County, State or local during which such construction work or projects impacts are potentially impacts the safety of the traveling public or pedestrians using Leavenworth County roadways, temporary speed limits and signage may be established without the need for a traffic study to respond to safety issues in a timely manner. The Leavenworth County Board of County Commissioners may act to establish such temporary speed limits and signage. 2) A new section (5) shall be established under the resolved statement of Leavenworth County Resolution 1998-26: (5) Speed limits on the following connecting roads and routes near the KDOT K-16 project shall be immediately reduced to 25 mph and the Public Works Department shall cause signage to be displayed at each intersection to each road and route as much as is practicable on the following connecting roads and routes: George Road, Haigwood Road, Hatchell Road, 242nd Street, 235th Street, 239th Street, 243rd Street, 250th Street, 251st Street, 252nd Street and Kansas Avenue. In addition, the Public Works Department is empowered to place additional signage on other nearby roads as safety conditions dictate during the duration of the KDOT K-16 project. 3) A new section (6) shall be established under the resolved statement of Leavenworth County Resolution 1998-26: (6) Upon certification of the County Administrator in consultation with the Public Works Department that all work on the KDOT K-16 project has been completed the Leavenworth County Board of County Commissioners may act to rescind the temporary speed limits and signage.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 14, 2023 as presented.

Motion passed, 5-0.

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

Motion passed, 5-0.

Helen Klinkenberg updated the Board of the results of the June 8, 2023 mail in ballot for the city of Basehor sales tax question.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to certify the results of the city of Basehor mail in ballot sales tax question.

Motion passed, 5-0.

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

Motion passed, 5-0.

Bill Noll presented a of disposable equipment to list on PurpleWave.

A motion was made by Commissioner Doug Smith and seconded by Commissioner to Mike Smith to accept the recommendation as presented to list the equipment on PurpleWave.

Motion passed, 5-0.

Commissioners Mike Smith and Stieben will speak at the League of Women Voters meeting on Saturday at the Leavenworth Public Library from 10:00 a.m. to 11:00 a.m.

Commissioner Kaaz reminded everyone of the dedication of the lynching monument at the Bethel Church on Friday at 6:30 p.m. along with the Juneteenth celebration this Saturday.

Commissioner Doug Smith will attend the Construction Continues ceremony for the new Basehor City hall this evening at 5:00 p.m. with the city council meeting following.

Commissioner Stieben spoke at the Tonganoxie Community Historical Society about railroads to their history camp.

Commissioner Culbertson attended the Leavenworth City Commission meeting. He reported the city of Easton will have fireworks this year. He also met with Representative Pat Proctor to discuss issues such as the Veteran's bill. He will participate in a Zoom meeting to discuss PILOT checks.

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

Motion passed, 5-0.

The Board adjourned at 9:52 a.m.

*****June 14, 2023 *****

The Board of County Commissioners met in budget work sessions on Wednesday, June 14, 2023. 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; Judge Joan Lowdon; Steve Crossland, Court Administrator; Andy Dedeke, Leavenworth County Sheriff; Todd Thompson, County Attorney; David Van Parys, Senior County Counselor; Janice Van Parys, Treasurer; Monica Swigart, Human Resources Administrator; Tammy Saldivar, Solid Waste Director; Jamie Miller, EMS/Health Dept Director; Aaron Yoakam, Buildings and Grounds Director; Bob Weber, County Appraiser; Tom Cole, Economic Development Administrator; John Richmeier, Leavenworth Times

The Board discussed the budget for District Court.

The Board discussed the budget for the Leavenworth County Sheriff to include 911 dispatch.

The Board discussed the budget for the Register of Deeds.

The Board discussed the budget for the County Attorney.

The Board discussed the budget for the Treasurer.

The Board discussed the budget for Human Resources.

The Board recessed at 11:44 a.m.

The Board resumed budget hearings at 12:30 p.m.

The Board discussed the budget for Solid Waste.

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

The Board discussed the budget for the County Counselor to include the Coroner.

The Board discussed the budget for Buildings and Grounds to include the Sewer Districts.

The Board discussed the budget for the County Appraiser.

The Board discussed the budget for the Board of County Commissioners, Economic Development and outside agencies.

The Board ended hearings at 3:04 p.m.

*****June 21, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, June 21, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith and Commissioner Culbertson are present; Commissioner Stieben is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Aaron Yoakam, Buildings and Grounds Director; Bill Noll, Infrastructure and Construction Services; Edd Hingula, Leavenworth City Commissioner; David Frese, John Richmeier, Leavenworth Times

Residents: Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Doug Smith mentioned Pat Proctor's recent comments on the County's mill levy and a 14% increase in property taxes.

Mark Loughry stated that statement was not true and briefly explained the taxation system with a flat mill levy.

Commissioner Culbertson spoke about PILOT checks and asked for a consensus of the Board to retain a company to facilitate action to obtain the PILOT checks.

Commissioner Stieben clarified comments that have been made on social media about the Commission lobbying against veteran's taxes.

Commissioner Doug Smith requested to have the check register 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, June 21, 2023 as presented 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 register section of the consent agenda.

Motion passed, 4-0 Commissioner Doug Smith abstained.

Resolution 2023-14, declaring a maximum speed limit on non-hard surface roads was presented for approval.

Bill Noll briefed the Board on the costs of reducing the speed specifically on George Road.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve Resolution 2023-14, pursuant to K.S.A. 8-2002, K.S.A. 8-1560 and K.S.A. 19-101 declaring a reasonable maximum speed limit on non-hard surface roads and establishing signage posting procedures on roads under jurisdiction and control of Leavenworth County, Kansas; repealing Resolution 1998-26 and all prior resolutions regarding maximum speed limit on non-hard surface county roads.

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

A vacation of a right of way on a section of State Road was presented.

Commissioner Kaaz opened the public hearing.

Commissioner Kaaz closed the public hearing.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to vacate a used section of State Road commonly known as the Leavenworth-Lawrence Road pursuant to K.S.A. 68-102 and find that the road right of way shown on the documents presented no longer serves as a public utility due to the relocation of the public roadway, non-use and lack of any foreseeable use as a public roadway and should be vacated. Further, that all notice required by K.S.A. 68-102a has been provided.

Motion passed, 5-0.

Aaron Yoakam requested approval of awarding bid to Sands Construction for the Cushing Hospital parking lot construction and improvements.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept Sands Construction for the Cushing Building parking lot construction and improvements.

Motion passed, 5-0.

Mr. Loughry presented a road improvement agreement for approval.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to table the road improvement agreement for two weeks.

Motion passed, 5-0.

Joe Herring commented on a non-agenda item.

Commissioner Stieben requested additional 35 mph signs on George Road.

It was the consensus of the Board to have staff follow the regulations in adding additional signage.

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 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 10:25 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 by phone, Senior County Counselor David Van Parys and County Administrator Mark Loughry and anyone else that may be called by the Board.

Motion passed, 5-0.

The Board returned to regular session at 10:25 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 Mike Smith and seconded by Commissioner Culbertson that the staff be directed to initiate the remediation of the road surface of the Eagle Crossing subdivision and the

vegetative cover required by law on 158th and County Road 2 project and seek recovery of the cost from the responsible parties.

Motion failed, 2-2 Commissioner Stieben abstained.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson that the staff be directed to initiate the remediation of the road surface of the Eagle Crossing subdivision and the vegetative cover required by law on 158th and County Road 2 project and seek recovery of the cost from the responsible parties.

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

Commissioner Kaaz left the meeting at 10:28 a.m. for another event.

It was the consensus of the Board to have Commissioner Culbertson chair the meeting for next week in Commissioner Kaaz's absence.

Commissioner Doug Smith attended the Continuing Construction ceremony for the city of Basehor, attended the unveiling of the plaque at the Richard Allen Cultural Center, attended the Juneteenth celebration and will attend the Fairmount Township Board meeting on Thursday.

Commissioner Stieben and Commissioner Mike Smith attended the League of Women Voter's forum. Commissioner Stieben also attended the Juneteenth celebration.

Commissioners Culbertson and Kaaz participated in a Zoom meeting with Hartwell Consultants regarding PILOT checks.

Commissioner Mike Smith attended the Juneteenth celebration. He also reported TSC will be moving to Towne Center in Lansing.

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

Motion passed, 4-0.

The Board adjourned at 10:31 a.m.

*****June 28, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, June 28, 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; Edd Hingula, Leavenworth City Commissioner; David Frese, Mayor of Tonganoxie; John Richmeier, Leavenworth Times

Residents: John Matthews, Kirstin Workman, Steven and Maria Cox, Wayne Smith

PUBLIC COMMENT:

Kirstin Workman commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Commissioner Doug Smith inquired about a work session with the Planning Commission.

Commissioner Stieben stated he is still receiving concerns about Flatlands. He also spoke about the speed limit on George Road.

A motion was made by Commissioner Stieben to adopt the policy that staff prepared for temporarily lowering those speeds.

Motion dies for lack of a second.

It was the consensus of the Board to have a George Road on the agenda for July 12th with a traffic count.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 28, 2023 as presented.

Motion passed, 4-0.

Discussion took place regarding the 2024 Leavenworth County budget.

Commissioner Culbertson made a statement about taxation.

Commissioner Mike Smith stated the city of Lansing will have their annual fireworks show on Saturday, July 1 at Town Center.

Commissioner Doug Smith attended the Fairmount Township meeting, the MARC meeting and will attend the Basehor City Council meeting this evening.

Commissioner Stieben reported the Farmer's Market is open in Tonganoxie on Thursday from 5:00 p.m. to 8:00 p.m.

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

The Board adjourned at 10:31 a.m.