

*****July 5, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, July 5, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Andrew Dedeke, County Sheriff; Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; John Jacobson, Planning and Zoning Director; Amy Allison, Planning & Zoning Deputy Director; Bill Noll, Infrastructure and Construction Services

Residents: John Matthews, John Wagner

PUBLIC COMMENT:

There was no public comment.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben discussed citizen concerns regarding speed limits on different road surfaces.

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 pull the check registry from the consent agenda for Wednesday, July 5, 2023 as presented.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the check register section of the consent agenda for Wednesday, July 5, 2023 as presented.

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

Amy Allison presented Resolution 2023-15, a rezone request from RR-5 to RR-2.5 located at 24971 and 00000 Tonganoxie Drive.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-15, a rezone request from RR-5 to RR-2.5 located at 24971 & 00000 Tonganoxie Drive.

Motion passed, 5-0.

Ms. Allison presented Resolution 2023-16, a rezone request from RR-5 to Planned Unit Development located at 17271 and 17251 Hollingsworth Road.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-16, a rezone request from RR-5 to Planned Unit Development located at 17271 & 17251 Hollingsworth Road.

Motion passed, 5-0.

Ms. Allison presented Resolution 2023-17, a request from a special use permit for Faster Dynamics.

A motion was made by Commissioner Mike Stieben and seconded by Commissioner Mike Smith to conditionally approve Resolution 2023-17, a special use permit for Faster Dynamics, an auto service and repair shop located at 00000 George Road with 3- year date certain on Jan 1, 2026.

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

Mark Loughry presented information regarding changes to a road improvement agreement.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve a road improvement agreement.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Board Order 2023-4, memorializing the findings previously made by the Board upon the hearing of the matter of the vacation of an unused portion of State Street.

Motion passed 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a first amendment to contract for certain improvements to 155th Street as it lies in the city of Basehor and the waiver by the city of Basehor of connection fees for Sewer District #5.

Motion passed 5-0.

Discussion took place regarding the 2024 Leavenworth County budget.

A motion was made by Commissioner Stieben that the two positions that were funded by ARPA within the County Attorney's Office, that we reclaim the \$160,000.00 to the General Fund of the budget from his proposed 2024 budget.

Motion dies for lack of a second.

A motion was made by Commissioner Stieben to reduce the County Attorney's proposed 2024 budget by \$160,000.00.

Motion dies for lack of a second.

It was the consensus of the Board to meet with the County Attorney prior to the next Board meeting.

John Wagner commented on a non-agenda item.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that the Board recess for a closed executive meeting for the discussion of potential litigation involving the legal interests of the County as justified by K.S.A. 75-4319 (B)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney-client relationship and that the Board resume open meeting at 11:05 a.m. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor, Misty Brown, David Van Parys, and Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 11:05 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

Commissioner Stieben attended the 4th of July parade for the city of Basehor.

Commissioner Culbertson met with constituents regarding the statement he made at the last meeting regarding taxation. He attended the city of Easton fireworks show.

Commissioner Mike Smith attended the city of Lansing's 4th of July celebration.

Commissioner Kaaz attended a conference for drug court and participated in a KCATA meeting via Zoom.

Commissioner Doug Smith attended the Basehor City Council meeting and the 4th of July parade in Basehor.

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

Motion passed, 5-0.

The Board adjourned at 11:09 a.m.

Final Approved

*****July 12, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, July 12, 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; Janet Klasinski, County Clerk; David Frese, Mayor of Tonganoxie; Bill Noll, Infrastructure and Construction Services; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: John Matthews, Eric McMillin, Kris Roberts

PUBLIC COMMENT:

Eric McMillin commented on an agenda item.

ADMINISTRATIVE BUSINESS:

David Van Parys reported he met with the Court to discuss enforcement on codes cases.

Mr. Van Parys reported two litigation cases involving the County have been dismissed.

Commissioner Doug Smith indicated a meeting with surrounding counties through MARC will take place on July 25th. He also stated a meeting will be held via Zoom through KAC regarding LAVTR on July 27th.

Commissioner Doug Smith requested the check register 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, July 12, 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 registry of the consent agenda.

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

Mark Loughry presented funding requests from local historical societies and museums.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve the funding requests from local historical societies and museums as distributed by the Clerk.

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

Janet Klasinski presented Resolution 2023-18, levying a property tax rate exceeding the revenue neutral rate for tax year 2023.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-18, levying a property tax rate exceeding the revenue neutral rate for tax year 2023.

Motion passed, 4-1 Commissioner Stieben voting nay.

Ms. Klasinski presented Resolution 2023-19, levying a property tax rate exceeding the revenue neutral rate for Leavenworth County Special-Other Funds for tax year 2023.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-19, levying a property tax rate exceeding the revenue neutral rate for Leavenworth County Special-Other Funds for tax year 2023.

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

Bill Noll presented an agreement with KDOT for Federal Safe Streets for all match requirement.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve an agreement with KDOT for Federal Safe Streets for All in awarded 80/20 federal safety plan grant

Motion passed, 5-0.

Mr. Loughry presented a policy for employee short-term disability insurance.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve a policy for providing County provided short-term disability insurance for all eligible employees.

Motion passed, 5-0.

Mr. Loughry presented an amendment to the insurance opt-out policy.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve an amendment to the insurance opt-out policy placing a cap on the maximum payout amount.

Motion passed, 5-0.

Discussion took place regarding George Road.

It was the consensus of the Board to direct staff to draft a letter to KDOT that upon completion of the K-16 project requesting additional assistance in bringing George Road back up to where it was.

Commissioner Culbertson met with a firm to discuss getting PILOT checks from the federal government.

Commissioner Kaaz attended the Leavenworth City Commission meeting. Next week she will attend a transportation authority meeting and the International Student's Honorary Citizen's Day.

Commissioner Doug Smith will attend the Basehor City Council meeting this evening.

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

Motion passed, 5-0.

The Board adjourned at 10:04 a.m.

*****July 12, 2023 *****

The Board of County Commissioners met in a work session on Wednesday, July 12, 2023. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz, Commissioner Culbertson and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Misty Brown, Deputy County Counselor;

Members of the Planning Commission present: Steve Rosenthal, Robert Owens, Marcus Majure, Jeff Spink, William Gottschalk, Allan Stork, Douglas Tystad

The Board held a joint work session with the Planning Commission.

The Board ended the work session at 5:17 p.m.

Final Approved

*****July 19, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, July 19, 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; Andy Dedeke, Leavenworth County Sheriff; John Richmeier, Leavenworth Times

Residents: John Matthews, Joe Herring,

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry clarified misinformation regarding the costs of the Cushing Building.

Commissioner Doug Smith referenced an article in the AARP magazine about accessory dwellings.

Commissioner Doug Smith inquired about a work session or meeting with developers.

Commissioner Culbertson mentioned the Leavenworth County Farm Bureau annual meeting.

Commissioner Stieben spoke about the bio-gas plant indicating he is seeking a legal opinion from staff as to if the County Commission will be involved.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, July 19, 2023 as presented.

Motion passed, 5-0.

Andy Dedeke requested acceptance of the Edward Byrne 2023 JAG grant.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to accept and authorize the chairman to sign the Edward Byrne 2023 JAG grant.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to move that the Board recess for a closed executive meeting for the discussion of potential litigation involving the legal interests of the County as justified by K.S.A. 75-4319(B)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney-client relationship and that Board resume in 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 has 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.

Commissioner Mike Smith will attend a ribbon-cutting for Spectrum on Thursday.

Commissioner Kaaz attended the International Officer's Honorary Citizen's Day. She also attended a Transit Authority meeting, the Leavenworth City Commission meeting and the LCDC meeting. She will also participate in the NEK-CAP meeting.

Commissioner Doug Smith attended the Basehor City Council meeting and Pat Morey's retirement celebration.

Commissioner Stieben went to the Springdale cemetery and indicated the Boy Scouts will be working on documenting graves.

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

Motion passed, 5-0.

The Board adjourned at 10:04 a.m.

Final Approved

*****July 26, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, July 26, 2023. Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Commissioner Kaaz is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; John Jacobson, Planning and Zoning Director; Edd Hingula, Leavenworth City Commissioner; Todd Thompson, County Attorney; John Richmeier, Leavenworth Times

Residents: Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, July 26, 2023 as presented.

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

Commissioner Culbertson amended his motion to remove the check registry from the consent agenda.

Commissioner Mike Smith amended his second to reflect the same.

Motion passed, 5-0.

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

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

Mark Loughry presented a quarterly grant budget amendment report for Community Corrections.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve and authorize the chairperson to sign the quarterly grant budget amendment report for Community Corrections.

Motion passed, 5-0.

Commissioner Stieben inquired about meeting with the County Attorney regarding his budget.

The Board along with Todd Thompson discussed the County Attorney's budget.

Commissioner Culbertson and Commissioner Doug Smith attended a Call of the Counties meeting for MARC indicating this meeting will be held quarterly.

Commissioner Stieben reported he has a booth at the Leavenworth County Fair.

Commissioner Stieben and Culbertson will visit the Hamm Landfill on August 9th.

Commissioner Mike Smith attended a ribbon-cutting for Spectrum and will participate in the Connecting Counties meeting via Zoom on Thursday.

Commissioner Kaaz participated in the Board of Directors meeting for NEK-CAP and the Workforce Partnership meeting. She will attend a Transit Authority meeting today.

Commissioner Culbertson attended a special meeting for the city of Easton.

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

Motion passed, 5-0.

The Board adjourned at 9:50 a.m.

Final Approved