

\*\*\*\*\*October 2, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, October 2, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Misty Brown, Deputy County Counselor; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Jamie Miller, EMS/Health Department Director; Monica Swigart, Human Resources Administrator; Jim Sherley, Undersheriff; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Mathew Watson requested an emergency building permit.

ADMINISTRATIVE BUSINESS:

*A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to place this on the agenda today.*

*Motion passed, 5-0.*

*A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to direct Planning and Zoning to issue the building permit and start the variance process on this property.*

*Motion passed, 5-0.*

Mr. Loughry requested direction from the Board regarding insurance coverage on spouses after retirement.

It was the consensus of the Board to incorporate that into the current policy to bring back for approval.

Commissioner Culbertson read his speech he gave at the Chamber of Commerce regarding the appraisal system.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 2, 2024 as presented.*

*Motion passed, 5-0.*

Jim Sherley requested approval of the Edward Byrne Grant in the amount of \$10,000.00.

*A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve the 2024 Edward Byrne Grant in the amount of \$10,000.00 for the purchase of law enforcement equipment for the Sheriff's Department.*

*Motion passed, 5-0.*

Mr. Loughry requested to award bid to Sirius for hardware and software licensing.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to award bid to Sirius for IBM hardware and software licensing and engage FSC for professional services in an amount not to exceed \$42,900.30.*

*Motion passed, 5-0.*

Monica Swigart requested approval of the Wellness Incentive Policy.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve the Wellness Incentive Policy effective October 1, 2024.***

***Motion passed, 5-0.***

Jamie Miller presented an occupancy agreement between Leavenworth City Fire and EMS.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve an occupancy agreement with Leavenworth City Fire and EMS for a period of 1 year.***

***Motion passed, 5-0.***

Mr. Miller requested the approval to place an order for two replacement ambulances.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve the EMS Director to place an order for the 2026 and 2027 replacement ambulances in the amount of \$332,969.50 per unit.***

***Motion passed, 5-0.***

Amy Allison presented Resolution 2024-24, a rezone request from RR-2.5 to R-1(43).

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to adopt Resolution 2024-24 and approve the rezoning as outlined in Case DEV-24-110 based on the findings of the Golden Factors, as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.***

Bob Weber showed a presentation regarding the roles of the appraiser.

Commissioner Stieben will hold a town hall meeting tomorrow night in Linwood at 6:00 p.m. He is also meeting with Alexandria Township Board this evening at 6:30 p.m.

Commissioners Stieben and Mike Smith will attend the Economic Outlook Conference in Wichita.

Commissioner Kaaz attending the Transit Authority meeting.

Commissioner Mike Smith attending Ben Ontiveros' retirement from the Lansing Police Department.

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

***Motion passed, 5-0.***

The Board adjourned at 10:19 a.m.

\*\*\*\*\*October 2, 2024\*\*\*\*\*

The Board of County Commissioners met in a work session on Wednesday, October 2, 2024. Commissioner Culbertson, Commissioner Mike Smith, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Bill Noll, Infrastructure and Construction Services; John Jacobson, Planning and Zoning Director; Misty Brown, Deputy County Counselor

The Board met in a work session to discuss the road improvement policy.

It was the consensus of the Board to not make any changes to the policy.

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

Final Approved

\*\*\*\*\*October 9, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, October 9, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Larry Malbrough, Information Systems Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben indicated he was accepting donations on behalf of Samaritan's Purse for hurricane relief.

Commissioner Stieben reported a letter will be sent to the railroad regarding the issue of trains blocking the crossings for long periods of time.

Commissioner Doug Smith inquired if a letter should be sent to people that live on minimal maintenance roads that references the County's policy.

Commissioner Mike Smith addressed rumors regarding the County Administrator's compensation.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 9, 2024 as presented.***

***Motion passed, 5-0.***

John Jacobson reported the applicant has withdrawn his application for Case DEV-24-100.

Larry Malbrough presented the quarterly report for Information Systems.

Bill Noll presented the quarterly report for Public Works.

Commissioner Stieben held a town hall meeting.

Commissioners Mike Smith and Stieben will attend the Economic Outlook Conference in Wichita on Thursday.

Commissioner Mike Smith announced Lansing will have their Fall Festival on Saturday. He also attended the funeral of Officer Richard Fairbanks.

Commissioner Doug Smith and Kaaz attended Safety Days at the Council on Aging.

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

***Motion passed, 5-0.***

The Board adjourned at 9:56 a.m.

\*\*\*\*\*October 9, 2024 \*\*\*\*\*

The Board of County Commissioners met in a work session on Wednesday, October 9, 2024. Commissioner Culbertson, Commissioner Mike Smith, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Bill Noll, Infrastructure and Construction Services; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Misty Brown, Deputy County Counselor

The Board met in a work session to discuss cross-access easements and RV parks.

The Board ended the work session at 11:17 a.m.

Final Approved

\*\*\*\*\*October 16, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, October 16, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Bill Noll, Infrastructure and Construction Services; Tammy Saldivar, Solid Waste Director; Aaron Yoakam, Buildings and Grounds Director; Jamie VanHouten, Community Corrections Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz mentioned an appointment will be needed to fill a vacancy on the Port Authority Board.

A work session will be scheduled to discuss economic development.

Commissioner Stieben spoke about grants that have been awarded to Public Works.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 16, 2024 as presented.***

***Motion passed, 5-0.***

Bill Noll requested approval of the 2025 dust control request form.

Staff will bring the dust control request form back with other options.

Tammy Saldivar presented the quarterly report for Solid Waste/Transfer Station.

Aaron Yoakam presented the quarterly report for Buildings and Grounds.

Jamie VanHouten presented the quarterly report for Community Corrections.

***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 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 at 10:35 a.m. Present in the executive session will be Commissioners Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith and Mike Stieben. Present also will be County Administrator Mark Loughry, Senior County Counselor David Van Parys and Deputy County Counselor Misty Brown.***

***Motion passed, 5-0.***

The Board returned to regular session at 10:35 a.m. No decisions were made and the subject was limited to the preliminary acquisition of real property.

Commissioner Kaaz attended the Port Authority meeting and the KCATA Finance Committee meeting.

Commissioners Mike Smith and Stieben attended the Economic Outlook Conference in Wichita. Commissioner Mike Smith reminded everyone that Lansing will hold their Fall Festival this weekend.

Commissioner Culbertson will speak about taxes at a Chamber meeting.

Commissioner Doug Smith attended the Fairmount Township open house.

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

The Board adjourned at 10:39 a.m.

Final Approved

\*\*\*\*\*October 23, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, October 23, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Bill Noll, Infrastructure and Construction Services; Connie Harmon, Council on Aging Director; Monica Swigart, Human Resources Director; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported there is a sales tax presentation this evening hosted by the Leavenworth/Lansing Chamber of Commerce.

Commissioner Kaaz inquired about the status of the High Prairie Township litigation.

David Van Parys mentioned the County has filed a motion to dismiss.

The Board agreed to participate in the Veteran's Day Parade.

Commissioner Culbertson inquired if the Board would like to send the LAVTR letter in the tax statements this year.

It was the consensus of the Board to include the letter with a few changes.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 23, 2024 as presented.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to appoint Mike Smith as the voting delegate for the Kansas Association of Counties conference.***

***Motion passed, 5-0.***

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to make Mike Stieben as a voting alternate.***

***Motion passed, 5-0.***

Bill Noll requested approval of a bid by for trap rock.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the bid from New Frontier Materials for 2024/2025 trap rock for \$56.00 per ton delivered to the quarry.***

***Motion passed, 5-0.***

Amy Allison presented Case DEV-24-113, a final plat for E&R Rolling Meadows South.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz that the proposed final plat as outlined in Case DEV-24-113 is compliant with the county Zoning and Subdivision***



***Regulations and move that the proposed final plat be conditionally approved and accepted by this Board subject to the conditions set forth in the staff report and as adopted by the Planning Commission with the exception.***

***Motion passed, 5-0.***

Monica Swigart presented the quarterly report for Human Resources.

Connie Harmon presented the quarterly report for Council on Aging.

John Jacobson presented the quarterly report for Planning and Zoning.

Commissioner Mike Smith will participate as a judge in the Council on Aging Halloween costume contest.

Commissioner Culbertson attended the Leavenworth City Commission meeting and will speak at the tax sale presentation with the Chamber.

Commissioner Doug Smith inquired about a legislative breakfast in December.

Commissioner Stieben attended the Fall Festival in Lansing.

Commissioner Kaaz participated in the Workforce Partnership meeting and the Adult Community Corrections board meeting. She will attend the Transit Authority meeting this afternoon.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that the Board 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 10:25 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, Misty Brown, Deputy County Counselor and County Administrator Mark Loughry and others determined later.***

***Motion passed, 5-0.***

The Board returned to regular session at 10:25 a.m. No decisions were made and the subject was limited to legal interests of the County.

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

***Motion passed, 5-0.***

The Board adjourned at 10:25 a.m.

\*\*\*\*\*October 30, 2024\*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, October 30, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Bill Noll, Infrastructure and Construction Services; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Jamie Miller, EMS/Health Dept. Director; Bob Weber, County Appraiser; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

Joe Herring, Steve Vernon, Garry Anderson, Joanne Aaron and Karen Bottary commented.

**ADMINISTRATIVE BUSINESS:**

Commissioner Culbertson read a proclamation recognizing Operation Greenlight for Veteran's.

Commissioner Culbertson read an updated letter regarding property taxes and LAVTR that will be included in citizen's tax statements.

Commissioner Kaaz responded to comments to St. Luke's leaving Leavenworth and why hasn't the County done anything about it. She indicated the County has no control over that and can't make any organization stay in Leavenworth County.

Commissioner Stieben read a letter from the Commission to the railroad regarding blockage of public roads.

Commissioner Stieben inquired about the requirements of contractors conducting core samplings on roads.

Bill Noll indicated there is a right of way permitting process in place through Public Works.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, October 30, 2024 as presented.***

***Motion passed, 5-0.***

Mark Loughry presented amendments to the sick leave/buyback policy.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to table for two weeks.***

***Motion passed, 5-0.***

Mr. Noll requested to accept the roadway in Orchard Meadows.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to accept the roadway in Orchard Meadows by Precision Contracting and Development with an extended 3-year maintenance bond.***

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

Mr. Noll presented an updated 2025 dust control request form.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the 2025 dust control form with the subsidized 10% of the dust abatement.***

***Motion passed, 5-0.***

Amy Allison presented Resolution 2024-25 a rezone request from RR-5 to RR-2.5 located at 18415 Eisenhower Rd.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to send this case back to the Planning Commission and request that they have more specificity on the issue of character of the neighborhood in relation to the fact that there are existing parcels that are a smaller size and giving us more definitive reasons for their decision.***

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

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the rezoning request from RR-5 to RR-2.5 in Case # DEV-24-116 and that it meets the Comp Plan and Land Use Plan.***

***Motion failed, 3-2, Commissioners Stieben and Mike Smith voting nay.***

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to send this back to the Planning Commission requesting specificity on their interpretation of the character of the neighborhood in relation to the fact that there are existing homesteads that are of smaller acreages and other factors.***

***Motion passed, 5-0.***

Bob Weber presented Board Order 2024-8, granting disaster relief tax abatement for buildings destroyed by fire.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to approve Board Order 2024-8, granting disaster relief tax abatement for buildings on 24625 200<sup>th</sup> St and a tax credit for buildings on 25214 163<sup>rd</sup> St. substantially destroyed by fire.***

***Motion passed, 5-0.***

Mr. Weber presented the quarterly report for the County Appraiser's Office.

Jamie Miller presented the quarterly report for EMS and the Health Department.

Commissioner Kaaz attended the Transit Authority meeting. She also clarified she does not hold any interest or own the property in the rezone case today.

Commissioner Mike Smith will judge the costume contest at Council on Aging today.

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

***Motion passed, 5-0.***

The Board adjourned at 11:03 a.m.

\*\*\*\*\*October 30, 2024\*\*\*\*\*

The Board of County Commissioners met in a work session on Wednesday, October 30, 2024. Commissioner Culbertson, Commissioner Mike Smith, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Jamie Miller, EMS/Health Department Director;

The Board met in a work session to discuss a charter resolution exempting Leavenworth County to annually inspect school buildings.

It was the consensus of the Board to have Mr. Miller reach out to the superintendents of the schools and then place the charter resolution on the agenda.

The Board ended the work session at 11:14 a.m.

Final Approved