

*****December 4, 2024 *****

The Board of County Commissioners met in a regular session on Wednesday, December 4, 2024. Commissioner Culbertson; Commissioner Kaaz and Commissioner Doug Smith are present; Commissioners Mike Smith and Stieben are absent; Also present: Mark Loughry, County Administrator; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Misty Brown, County Counselor; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

John Redden commented.

ADMINISTRATIVE BUSINESS:

Mark Loughry discussed the holiday meeting schedule.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to move the December 25th meeting to December 23rd and the January 1st meeting to December 30th.

Motion passed, 3-0.

Mr. Loughry updated the Board on Fire District #1.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, December 4, 2024 as presented.

Motion passed, 3-0.

Charter Resolution 2024-1, exempting Leavenworth County from certain provisions regarding annual sanitary inspections of school buildings by the local health officer was presented.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table this school inspections until next week.

Motion passed, 3-0.

Aaron Yoakam requested approval of the purchase of two propane generators for the Transfer Station.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve SMK Ventures to install two 20kw propane generators at the Transfer Station scale houses in the amount of \$18,950.00.

Motion passed, 3-0.

Amy Allison presented Case DEV-24-116, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Case Number DEV-24-116, a request to rezone from RR-5 to RR-2.5 based on the findings of the staff report and the amended findings of the Planning Commission's recommendations.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-118, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table this matter until December 11 on Case Number DEV-24-118.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-126, a rezoning request from RR-5 to RR-1.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table Case DEV-24-126 until December 11 the RR-5 to RR-1.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-127, a rezoning request from PR-2 to RR-5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve the request from PR-2 to RR-5 in Case Number DEV-24-127 based on the findings of the Planning Commission and staff.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-128, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to table Case Number DEV-24-128 from RR-5 to RR-2.5 to December 11.

Motion passed, 3-0.

Ms. Allison presented Case DEV-24-131, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Case Number DEV-24-131 a request from RR-5 to RR-2.5 based on staff recommendation and Planning Commission approval.

Motion passed, 3-0.

Commissioner Culbertson will meet with staff at Fort Leavenworth to discuss ambulance services.

Commissioner Doug Smith attended the Christmas parade in Linwood.

Commissioner Kaaz reported the Carousel Museum will host a small mall this weekend where kids can Christmas shop.

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

Motion passed, 3-0.

The Board adjourned at 9:26 a.m.

*****December 11, 2024 *****

The Board of County Commissioners met in a regular session on Wednesday, December 11, 2024. Commissioner Culbertson; Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Commissioner Mike Smith by phone; Also present: Mark Loughry, County Administrator; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Misty Brown, County Counselor; Bill Noll, Infrastructure and Construction Services; Jamie Miller, EMS/Health Dept. Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Ron Seetin, David Chiles and Crystal Swan Blackdeer commented.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz presented Pat Barnhardt with a plaque for her service with the Drug and Alcohol Abuse Council.

Mark Loughry updated the Board regarding Fire District #1 indicating staff is working on agreements for the Board's review.

Mr. Loughry reported there is not any money to transfer out of the unfilled positions within departments with the increase to benefits and other payroll issues.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, December 11, 2024 as presented.

Motion passed, 5-0.

Jamie Miller presented Charter Resolution 2024-1, exempting Leavenworth County from sanitary inspections of school buildings as the health officer.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to approve Charter Resolution 2024-1, exempting Leavenworth County, Kansas from certain provisions of K.S.A. 65-201 specifically K.S.A. 65-202 subsection C regarding the annual sanitary inspections of school buildings and grounds by the local health officer.

Motion passed, 5-0.

Bill Noll requested approval of a lease agreement for two Caterpillar motor graders.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve a 5-year lease agreement with Foley Equipment for two Caterpillar motor graders in the amount of \$70,441.36 per grader.

Motion passed, 5-0.

Amy Allison presented Resolution 2024-26, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to refer this back to the Planning Commission for more explanation on why it doesn't fit the character of the neighborhood when there is related property that is zone similarly and more specifically #3 as well.

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

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve the rezoning request Resolution DEV 2024-26 approve the rezoning as outlined in Case DEV-24-118 based that it meets the Comp Plan.

Motion passed, 4-1 Commissioner Stieben voting nay.

Ms. Allison presented Resolution 2024-27, a rezoning request from RR-5 to RR-1.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Resolution 2024-27, a rezoning request for RR-5 to RR-1 considering the rezoning applying the Golden Factors and move to adopt Resolution on Case DEV-24-126.

Motion passed, 5-0.

Ms. Allison presented Resolution 2024-29, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Kaaz to approve Resolution 2024-29, a rezoning request from RR-5 to RR-2.5 and the zoning request complies with the Golden Factors and adopt and approve Case Number DEV-24-128.

Motion passed, 5-0.

Commissioner Stieben gave a brief update from the Kansas Association of Counties conference.

Commissioner Kaaz attended the Leavenworth City Commission meeting and a KCATA meeting.

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

Motion passed, 5-0.

The Board adjourned at 9:59 a.m.

*****December 18, 2024 *****

The Board of County Commissioners met in a regular session on Wednesday, December 18, 2024. Commissioner Culbertson; Commissioner Kaaz and Commissioner Mike Smith are present; Commissioner Stieben present by phone; Commissioner Doug Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Deputy County Clerk; Jamie Miller, EMS/Health Dept. Director; Janet Klasinski, County Clerk; Bill Noll, Infrastructure and Construction Services; Jamie VanHouten, Community Corrections Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Larry Bigelow, Larry Moore and Louis Klemp commented.

ADMINISTRATIVE BUSINESS:

Jamie Miller presented results of the health assessment that was offered to County employees.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, December 18, 2024 as presented.
Motion passed, 4-0.***

Commissioner Stieben mentioned complaints are being received again about the landfill in Easton.

Commissioner Culbertson opened the public hearing for the County's budget amendments.

Louis Klemp commented.

Commissioner Culbertson closed the public hearing.

Mark Loughry gave a brief summary as to why budget amendments are necessary.

Jamie VanHouten explained why the Community Corrections budget was amended.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve the amendments to the Leavenworth County budget for 2024.
Motion passed, 4-0.***

Commissioner Culbertson opened the public hearing for the special other funds for sewer districts 1 and 5.

Louis Klemp commented.

Commissioner Culbertson closed the public hearing.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve the amendments to the County Special Other Funds for Sewer Districts 1 and 5.
Motion passed, 4-0.***

Board Order 2024-10, transferring funds from the road and bridge fund to the capital road fund was presented for approval.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve Board Order 2024-10, transferring funds from the road and bridge fund of the County to the capital road fund in the amount of \$1,000,000.00.

Motion passed, 4-0.

Board Order 2024-11, transferring funds from the local services road and bridge fund to the capital road fund was presented for approval.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve Board Order 2024-11, transferring funds from the local service road and bridge fund of the County to the capital road fund in the amount of \$400,000.00.

Motion passed, 4-0.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to contract with Lansing to provide fire protection services to the entirety of Fire District #1.

Kathleen Williams commented.

Dale Thomas commented.

Motion passed, 4-0.

Commissioner Kaaz participated the Transit Authority meeting.

Commissioner Mike Smith commented on the legislative breakfast and participated in the Chili Cook-Off.

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

Motion passed, 4-0.

The Board adjourned at 10:05 a.m.

*****December 23, 2024 *****

The Board of County Commissioners met in a regular session on Monday, December 23, 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, Deputy County Counselor; Aaron Yoakam, Buildings and Grounds Director; John Richmeier, Leavenworth Times

PUBLIC COMMENT:

Michelle Nester, Dale Thomas, Jacob Thomas, Dan Clemons and Tama Brzustowicz, Shawn Wagner, Richard Faulkner, Kathleen Williams and Roberta Ready commented.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben read an overview of what the Commission has accomplished this year.

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

Motion passed, 5-0.

Mark Loughry presented a cereal malt beverage license renewal for LakeStop LLC.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a cereal malt beverage license for Lakestop LLC.

Motion passed, 4-1 Commissioner Stieben voting nay.

Aaron Yoakam requested approval of a bid for phase 1 of the Courthouse roof from Delta Innovative Services, Inc.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve the bid from Delta Innovative Services, Inc. to replace Courthouse roof phase 1 in the amount of \$612,000.00.

Motion passed, 5-0.

Misty Brown presented Resolution 2024-31, authorizing the County to enter into an agreement with the City of Lansing for fire protection services.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve Resolution 2024-31, authorizing the County to enter into an agreement with the City of Lansing for the provision of fire protection services in Fire District No. 1 beginning January 1, 2025.

Motion passed, 5-0.

Ms. Brown requested approval of a funding agreement between the County and Delaware Township.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve a funding agreement between the County and Delaware Township for fire protection services in Delaware Township by Fire District No. 1 in 2025.

Motion passed, 5-0.

Commissioner Kaaz attended the Transit Authority meeting.

Commissioner Doug Smith recognized a letter of resignation of Vernon Fields on the MARC committee.

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

Motion passed, 5-0.

The Board adjourned at 10:05 a.m.

Final Approved

*****December 30, 2024 *****

The Board of County Commissioners met in a regular session on Monday, December 30, 2024. Commissioner Culbertson; Commissioner Mike Smith and Commissioner Doug Smith; Commissioner Stieben present by phone; Commissioner Kaaz is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; Amy Allison, Planning and Zoning Deputy Director; John Jacobson, Planning and Zoning Director

PUBLIC COMMENT:

Louis Klemp commented

ADMINISTRATIVE BUSINESS:

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to accept the consent agenda for Monday, December 30, 2024 as presented.

Motion passed, 4-0.

Amy Allison presented Resolution 2024-32, a rezoning request from RR-5 to RR-2.5.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith move to approve and move to adopt Resolution 2024-32 and approve the rezoning as outlined in Case DEV-24-134 based on the recommendation of the Planning Commission and the findings set forth in the staff report.

Motion passed, 4-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that this Board recess for a closed executive meeting to consult with legal counsels and to discuss confidential matters related to the Board's duties and responsibilities for Fire District #1 after December 31, 2024 which would be deemed privileged in the attorney-client relationship and justified by K.S.A. 75-4319 (b)(2) and that Board resume open meeting at 9:25 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, County Counselor Misty Brown, Deputy County Counselor, Jon Khalil and County Administrator Mark Loughry. (Vicky Kaaz was not present).

Motion passed, 4-0.

The Board returned to regular session at 9:25 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 Doug Smith and seconded by Commissioner Mike Smith that we direct staff to send a letter to all necessary parties involved in Fire District #1 stating that the Board of County Commissioners are taking on the responsibility of Fire District #1 effective January 1.

Motion passed 3-0.

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

Motion passed, 3-0.

The Board adjourned at 9:27 a.m.