

*****March 5, 2025 *****

The Board of County Commissioners met in a regular session on Wednesday, March 5, 2025. Commissioner Culbertson; Commissioner Smith, Commissioner Reid and Commissioner Dove are present; Commissioner Stieben is absent; Also present: Mark Loughry, County Administrator; Misty Brown, County Counselor; Bill Noll, Infrastructure and Construction Services; Connie Harmon, Council on Aging Director; Georgia Moore, Council on Aging; Jamie Miller, EMS/Health Dept. Director

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Dove recognized Mike Buckhouse for his services with EMS.

Commissioner Smith read a proclamation for March for Meals.

A motion was made by Commissioner Dove and seconded by Commissioner Culbertson to approve the letter of support for Leavenworth Waterworks.

Motion passed, 4-0.

A motion was made by Commissioner Reid and seconded by Commissioner Dove to send a letter of support for the speed reduction on 24/40.

Motion passed, 4-0.

Commissioner Culbertson read his testimony from the property tax hearing in Topeka.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to accept the consent agenda for Wednesday, March 5, 2025 as presented.

Motion passed, 4-0.

Connie Harmon requested approval of a MOU with The Deeper Window Association.

A motion was made by Commissioner Dove and seconded by Commissioner Smith to approve the MOU.

Motion passed, 4-0.

Jamie Miller requested approval of the Aid to Local Grants.

A motion was made by Commissioner Culbertson and seconded by Commissioner Reid to authorize the chairman to sign the application for Aid to Local Grants for the Health Department.

Motion passed, 4-0.

Bill Noll presented a bid from Bryan-Ohlmeier Construction for the replacement of bridge ST-26.

A motion was made by Commissioner Reid and seconded by Commissioner Dove to accept the bid from Bryan -Ohlmeier Construction for the replacement of bridge ST-26 on Fairmount Road in the amount of \$1,094,319.45 with a 5% contingency.

Motion passed, 4-0.

Mr. Noll presented the annual Noxious Weed Eradication Report and the Noxious Weed Management Plan for 2025.

A motion was made by Commissioner Reid and seconded by Commissioner Dove to approve the annual Noxious Weed Eradication Report for 2025 and the Noxious Weed Management Plan for 2025.

Motion passed, 4-0.

Mark Loughry presented the amended Wellness Incentive Policy.

A motion was made by Commissioner Reid and seconded by Commissioner Culbertson to approve the amended Wellness Incentive Policy with an effective date of March 1, 2025.

Motion passed, 4-0.

Board Order 2025-2 was presented for approval.

A motion was made by Commissioner Culbertson and seconded by Commissioner Smith to table this for two weeks to March 19.

Motion passed, 4-0.

Jon Khalil presented Board Order 2025-3, a request for water attachment to Rural Water District No.6.

Commissioner Smith opened the public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed the public hearing.

A motion was made by Commissioner Reid and seconded by Commissioner Culbertson to approve Board Order 2025-3, accepting a petition for the attachment of certain property to Rural Water District No. 6 per legal description provided.

Motion passed, 4-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Reid that the Board recess for a closed executive meeting for discussion of subjects involving the legal interests of the County and confidential matters related to potential claims and litigation as justified by K.S.A. 75-4319(b)(2) for consultation with legal counsel which would be deemed privileged in the attorney-client relationship and that Board resume open meeting at 10:20 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Mike Smith, Jeff Culbertson, Vanessa Reid, Willie Dove, County Counselor Misty Brown, Deputy County Counselor Jon Khalil and County Administrator Mark Loughry.

Motion passed, 4-0.

The Board returned to regular session at 10:20 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 Reid and seconded by Commissioner Dove to authorize the County Counselor to proceed with entering into a settlement agreement with Linaweaver Construction and authorize the payment in the amount of \$60,000.00 to Linaweaver Construction.

Motion passed, 4-0.

Commissioner Culbertson testified in Topeka for a property tax bill.

Commissioner Smith attended a Port Authority meeting and will attend the Basehor State of the City.

Commissioner Reid inquired about the Port Authority survey.

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

The Board adjourned at 10:26 a.m.

Final Approved

*****March 12, 2025*****

The Board of County Commissioners met in a regular session on Wednesday, March 12, 2025. Commissioner Culbertson; Commissioner Smith, Commissioner Reid, Commissioner Stieben and Commissioner Dove are present; Also present: Mark Loughry, County Administrator; Misty Brown, County Counselor; Tammy Saldivar, Solid Waste Director; Aaron Yoakam, Buildings and Grounds Director; Bill Noll, Infrastructure and Construction Services;

PUBLIC COMMENT:

Kirstin Workman, Steven Vernon and Brian Kellogg commented.

ADMINISTRATIVE BUSINESS:

Mark Loughry recognized Employee Appreciation Day was last week.

The Board briefly discussed property tax bills.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, March 12, 2025 as presented.

Motion passed, 5-0.

Tammy Saldivar requested approval of a recycling category of Municipal Solid Waste.

A motion was made by Commissioner Culbertson and seconded by Commissioner Reid to add a recycling category of Municipal Solid Waste at a rate of \$125 per ton determined by county staff to the county's current rate sheet.

Motion passed, 5-0.

Bill Noll requested approval of a financing agreement with Kansas State Bank for two dump trucks.

A motion was made by Commissioner Stieben and seconded by Commissioner Dove to approve the financing agreement with Kansas State Bank for two dump trucks previously approved with the condition of three yearly payments of \$136,163.56 per year for three yearly payments.

Motion passed, 5-0.

Mr. Noll requested approval of Resolution 2025-8, accepting the Safe Streets for All Plan.

A motion was made by Commissioner Stieben and seconded by Commissioner Reid to approve Resolution 2025-8, accepting Safe Streets for All Vision Zero Plan.

Motion passed, 5-0.

Misty Brown presented Resolution 2025-9, altering the boundaries of Rural Fire District No. 1 of Leavenworth County, Kansas by detaching the city of Lansing.

A motion was made by Commissioner Stieben and seconded by Commissioner Smith to approve Resolution 2025-9, altering the boundaries of Rural Water District No. 1 of Leavenworth County, Kansas (hereinafter Fire District No. 1) by detaching the city of Lansing from Fire District No. 1.

Motion passed, 5-0.

Resolution 2025-10 was presented.

A motion was made by Commissioner Smith and seconded by Commissioner Dove to table the detachment, there are a number of unanswered questions regarding the effects of detaching High Prairie Township from Fire District No. 1 at this time. There are questions regarding the fire protection that would be provided to the citizens of High Prairie Township on or after April 1st. There are questions about the financial obligations owed to Fire District No. 1 for services that have been provided. There are questions about whether or not a contract is needed with High Prairie Township, if they are going to provide fire protection while they are still part of Fire District No. 1. I move to table this matter until March 26, 2025.

Motion passed, 3-2 Commissioner Reid and Culbertson voting nay.

A motion was made by Commissioner Reid and seconded by Commissioner Stieben that the Board recess for a closed executive meeting for discussion of subjects involving the legal interests of the county and confidential matters related to potential claims and litigation as justified by K.S.A. 75-4319 (b)(2) for consultation with legal counsel which would be deemed privileged in the attorney-client relationship and that the Board resume open meeting at 10:40 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Mike Smith, Jeff Culbertson, Vanessa Reid, Willie Dove, Mike Stieben, County Counselor Misty Brown, Deputy County Counselor Jon Khalil and County Administrator Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 10:40 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 Smith and seconded by Commissioner Dove that the Sheriff release pagers to High Prairie Township.

Motion passed, 5-0.

Aaron Yoakam presented information on phase 2 stone and masonry work on the Courthouse.

It was the consensus of the Board to go with the options of full terracotta and full GFRC and abandon the non-historic full stone replacement.

Commissioner Stieben will be speaking March 20th at the Elephant Club.

Commissioner Smith attended the Basehor State of the City. He reminded everyone of the KCCA conference in April that will be held in Manhattan.

Commissioner Reid will attend the State of the City for KCATA today at Children Mercy Park.

Commissioner Reid indicated she would like to discuss the moment of silent prayer at the beginning of the meeting.

Commissioners will participate in the St. Patrick's Day Parade on Monday.

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

Motion passed, 5-0.

The Board adjourned at 10:51 a.m.

*****March 12, 2025*****

The Board of County Commissioners met in a work session on Wednesday, March 12, 2025. Commissioner Culbertson; Commissioner Smith, Commissioner Stieben, Commissioner Reid and Commissioner Dove are present; Also present: Mark Loughry, County Administrator; Misty Brown, County Counselor

The Board met in a work session with the Leavenworth County Port Authority.

It was agreed the Leavenworth County Port Authority will set up quarterly meetings with the Board.

The Board ended the work session at 12:06 p.m.

Final Approved

*****March 19, 2025 *****

The Board of County Commissioners met in a regular session on Wednesday, March 19, 2025. Commissioner Culbertson; Commissioner Smith, Commissioner Reid and Commissioner Dove are present; Commissioner Stieben is absent; Also present: Mark Loughry, County Administrator; Jon Khalil, Deputy County Counselor

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Smith reported he will be out next week and suggested Mike Stieben be acting chair in his absence.

A motion was made by Commissioner Dove and seconded by Commissioner Reid that Mike Stieben be acting chair.

Motion passed, 3-1 Commissioner Culbertson voting nay.

Commissioner Smith asked for a motion to approve a Kansas County Commissioners Association membership renewal.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to renew the membership for the Kansas County Commissioners Association.

Motion passed, 3-1, Commissioner Reid voting nay.

Commissioner Reid spoke about the St. Patrick's Day parade.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to accept the consent agenda for Wednesday, March 19, 2025 as presented.

Motion passed, 4-0.

John Groves from the Special Alcohol Distribution funds requested distributions as requested.

A motion was made by Commissioner Culbertson and seconded by Commissioner Reid to distribute the Special Alcohol Funds as presented.

Motion passed, 4-0.

Board Order 2025-2, a vacation of an unused right-of-way was presented.

Commissioner Smith opened the public hearing.

No one spoke in favor or opposition.

Commissioner Smith closed the public hearing.

A motion was made by Commissioner Dove and seconded by Commissioner Culbertson that the right-of-way section of Brown Road near Woodend Road and 234th Street as described in the notice of hearing

is not a public utility, therefore I move that right of way for section of Brown Road near Woodend Road and 234th Street as described in the notice of hearing be vacated.

Motion passed, 4-0.

Resolution 2025-11, detaching Delaware Township from Fire District No. 1 was presented.

A motion was made by Commissioner Dove and seconded by Commissioner Smith to approve Resolution 2025-11, altering the boundaries of Rural Fire District No. 1 of Leavenworth County, Kansas and removing Delaware Township from Fire District No. 1 of Leavenworth County, Kansas.

Motion passed, 4-0.

John Redden and April Cromer commented on a non-agenda item.

Commissioner Smith requested the discussion item be continued until next week since one Commissioner is absent today.

Commissioner Smith attended the Port Authority meeting yesterday.

Commissioner Dove attended the Planning and Zoning meeting last week.

Commissioner Reid announced the County regained their seat on the LCDC Board.

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

Motion passed, 4-0.

The Board adjourned at 9:41 a.m.

*****March 26, 2025 *****

The Board of County Commissioners met in a regular session on Wednesday, March 26, 2025. Commissioner Culbertson; Commissioner Stieben, Commissioner Reid and Commissioner Dove are present; Commissioner Smith is absent; Also present: Mark Loughry, County Administrator; Misty Brown, County Counselor; Jon Khalil, Deputy County Counselor; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Bill Noll, Infrastructure and Construction Services

PUBLIC COMMENT:

Louis Klemp and Dan Clemons commented.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben read a resolution that was adopted by the Kansas House of Representatives.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to accept the consent agenda for Wednesday, March 19, 2025 as presented.

Motion passed, 4-0.

The amended annexation request by the city of Tonganoxie was presented.

A motion was made by Commissioner Dove and seconded by Commissioner Culbertson to table the rehearing of the city of Tonganoxie's amended island annexation to April 2 to provide the entire Board of County Commissioners the opportunity???

Motion passed, 4-0.

Misty Brown presented Resolution 2025-10.

A motion was made by Commissioner Reid and seconded by Commissioner Culbertson to approve Resolution 2025-10, authorizing the County to enter into an agreement with High Prairie Township for the provision of fire protection services within High Prairie Township beginning April 1, 2025.

Motion passed, 4-0.

A motion was made by Commissioner Dove and seconded by Commissioner Culbertson to amend the agreement with the city of Lansing and fire protection services within Fire District #1 to exclude the provisions of fire protection services in High Prairie Township effective April 1, 2025 and direct staff to notify the city of Lansing and take action required to satisfy the intent of this motion.

Motion passed, 4-0.

A motion was made by Commissioner Stieben and seconded by Commissioner Reid to approve Resolution 2025-12, altering the boundaries of Rural Fire District #1 of Leavenworth County, Kansas (herein Fire District #1) by detaching High Prairie Township from Fire District #1.

Motion passed, 4-0.

John Jacobson presented Case DEV-24-157 & 158, final plat for Elston Estates.

A motion was made by Commissioner Culbertson and seconded by Commissioner Reid to find that the proposed final plat as outlined in Case DEV-24-157 & 158 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.

Motion passed, 4-0.

Mr. Jacobson presented Case DEV-24-147, final plat for Cheyenne Crossing 2nd .

A motion was made by Commissioner Reid and seconded by Commissioner Dove to find that the proposed final plat as outlined in Case DEV-24-147 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.

Motion passed, 4-0.

Bill Noll requested to reject bids on the replacement of bridge K-19.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove to reject all bids for the replacement of bridge K-19 located on 179th St.

Motion passed, 3-1 Commissioner Reid voting nay.

Mr. Noll requested approve a contract for the replacement of bridge ST-26.

A motion was made by Commissioner Reid and seconded by Commissioner Culbertson to approve the contract with Bryan-Ohlmeier Construction for the replacement of bridge ST-26 on Fairmount Road in the amount of \$1,094,319.45 with a 5% contingency.

Motion passed, 4-0.

A brief discussion took place regarding the moment of silent prayer.

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove that this Board move to closed executive meeting for preliminary discussions related to the acquisition of real property for public improvements, as permitted under the Kansas Open Meetings Act and the Board resume open meeting at 10:10 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Jeff Culbertson, Vanessa Reid, Willie Dove, Mike Stieben, County Administrator Mark Loughry, County Counselor, Misty Brown, and Deputy County Counselor, Jon Khalil.

Motion passed, 4-0.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Dove that this Board approve a letter of support to acquire ground from the Kansas Department of Corrections.

Motion passed, 4-0.

A brief discussion took place regarding RHID and county policies.

Commissioner Reid attended the city of Lansing planning meetings.

Commissioner Culbertson attended the Leavenworth City Commission meeting and the MARC meeting.

Commissioner Stieben spoke at the Elephant Club.

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

Motion passed, 4-0.

The Board adjourned at 10:18 a.m.

Final Approved