

At this time the Courthouse is open to the public. Anyone wishing to attend will need to call ahead at 913-684-0417 to reserve a seat as the meeting room has limited capacity. All visitors will be required to wear a mask. We are encouraging everyone to continue to view the meeting live via YouTube.

***Leavenworth County  
Board of County Commissioners***

***Regular Meeting Agenda***  
300 Walnut Street, Suite 225  
Leavenworth, KS 66048  
February 10, 2021  
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items **only** and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.  
  
Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.
- V. ADMINISTRATIVE BUSINESS:
  - a) Policy clarification
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a

member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.

- a) Approval of the minutes of February 3, 2021
- b) Approval of the minutes of the work session of February 3, 2021
- c) Approval of the schedule for the week February 15, 2021
- d) Approval of the check register
- e) Approve and sign the OCB's

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve an agreement for maintenance of roads in cities for Leavenworth County and the city of Lansing.
- b) Consider a motion to approve Resolution 2021-3, a rezone of property located at 24646 Conley Ave. from RR-5 to RR-2.5.
- c) Consider a motion to adopt and forward the Leavenworth County 2021 Solid Waste Committee Member Roster to the Kansas Department of Health and Environment.

VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.

- a) Solid Waste quarterly report

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, February 8, 2021

Tuesday, February 9, 2021

Wednesday, February 10, 2021

9:00 a.m. Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

Thursday, February 11, 2021

Friday, February 12, 2021

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

\*\*\*\*\*February 3, 2021 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, February 3, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz, and Commissioner Culbertson are present; Mark Loughry, County Administrator is present; Also present: David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Stephanie Ventura, Crystal Miles, Greg and Elizabeth Ledford, Charles Stimach, Joe Herring, Mike Lansing, Ryan and Melissa Chapman, Mark Peterson by phone,

**PUBLIC COMMENT:**

Crystal Miles and Stephanie Ventura commented on agenda items.

**ADMINISTRATIVE BUSINESS:**

Mark Loughry asked the Board if any inserts were to be placed in the tax mailings.

Commissioner Stieben requested research on the executive order impacting private prisons.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to accept the consent agenda for Wednesday, February 3, 2021 as presented.***

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

David Van Parys presented an agreement between the city of Basehor, developers of the Basehor Town Center and the County in regards to the special assessment arrears.

***A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to authorize the chairman to sign the agreement.***

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

Bill Noll requested acceptance the Watershed Institute Grant for the replacement of the K-45 bridge structure and K-56 culvert on Millwood Rd.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the Missouri River Watershed grant to replace K-45 bridge culvert on 187<sup>th</sup> St and K-56 culvert on Millwood Rd.***

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

Krystal Voth requested Case # DEV-20-128 be remanded back to the Planning Commission due to changes made by the applicant at the Planning Commission meeting.

***A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to remand back to the Planning Commission for the continued study of the road.***

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

Ms. Voth presented Resolution 2021-2, a renewal of a special use permit for M&M Concrete.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-2 a renewal of a special use permit for M&M Concrete.***

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

Ms. Voth presented Resolution 2021-3, a rezone from RR-5 to RR-2.5 for lot 1 of Cain Estates indicating a valid protest petition has been filed.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Resolution 2021-3, a rezone on a property located at 24646 Conley Ave. from RR-5 to RR 2.5.

Commissioners Doug Smith and Culbertson rescinded their motions.

***A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to table this case for one week.***

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

Mr. Van Parys indicated the case needs to be set for a certain date and time.

***A motion was made by Commissioner Stieben and seconded by Commissioner to table this matter until February 10, 2021 at 9:00 a.m.***

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

Ms. Voth presented Resolution 2021-4, a request to rezone Lot 9A and Lot 9B of Deer Mount Subdivision from RR-5 to RR 2.5 indicating a valid protest petition has been filed.

***A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to approve Resolution 2021-4, rezone of Lot 9A and Lot 9B of Deer Mount Subdivision from RR-5 to RR 2.5***

***Motion passed, 4-1 Commissioner Kaaz voting nay.***

Ms. Voth presented Resolution 2021-5, a request to rezone a piece of ground that is partially zone B-3 and partially zoned as RR -5 to specifically B-3 zoning.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to remand Resolution 2021-5 back to the Planning Commission.***

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

Commissioner Stieben testified in Topeka yesterday on Senate Bill 23.

Commissioner Doug Smith attended the Basehor City Council and Fairmount Township Board meeting last week.

Commissioner Mike Smith commented about the positive things going on in Leavenworth County and wants to get those out on social media.

Commissioner Culbertson met with Easton City Council on continuing to get health hazards cleaned up. He indicated he continues to have interested parties reach out to him about Cushing Hospital.

Commissioner Kaaz participated in the Workforce Partnership meeting, NAACP annual meeting and the Leavenworth City Council meeting.

Commissioner Stieben read an obituary for Harold Leach, father of Randy Leach.

Doug Pratt commented on a non-agenda item.

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

The Board adjourned at 10:24 a.m.

Draft

\*\*\*\*\*February 3, 2021 \*\*\*\*\*

The Board of County Commissioners met in a work session on Wednesday, February 3, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz, and Commissioner Culbertson are present; Mark Loughry, County Administrator is present; Also present: Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Tim Vandall, Lansing City Administrator, Mike Spickelmier, Lansing Public Works Director; Leslee Rivarola Basehor City Administrator, David Breuer, Mayor of Basehor; Representatives from the city of Tonganoxie by phone

A work session was held to discuss joint City/County projects.

The Board ended the work session at 11:04 a.m.

Draft

# **LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE**

**Monday, February 15, 2021 THE COURTHOUSE WILL BE CLOSED IN OBSERVANCE OF PRESIDENT'S DAY**

**Tuesday, February 16, 2021**

**Wednesday, February 17, 2021**

9:00 a.m.      Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

**Thursday, February 18, 2021**

**Friday, February 19, 2021**

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM



TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#					
20588	ADVANTAGE	ADVANTAGE PRINTING	318127	91139 AP	02/04/2021	1-001-5-01-301	173 BUSINESS CARDS COMMISSIONE	85.00	
20588	ADVANTAGE	ADVANTAGE PRINTING	318127	91139 AP	02/04/2021	1-001-5-07-303	132 2 PART WARNING CITATIONS (	395.00	
							*** VENDOR 20588 TOTAL		480.00
281	BALZOUT	BALZOUT LLC	318129	91141 AP	02/04/2021	1-001-5-07-213	EQUIPMENT FOR SHF - DODGE DURA	535.00	
22369	BAMFORD FI	BAMFORD FIRE SPRINKLER	318130	91142 AP	02/04/2021	1-001-5-14-369	711 MARSHALL BROKEN PIPE, RP B	1,932.77	
2489	BEDNAR, ROBERT	HONORABLE ROBERT BEDNAR	318131	91143 AP	02/04/2021	1-001-5-19-252	DOMESTIC COURT PRO TEM	3,000.00	
2541	BEST PLUMBING SPECIA	BEST PLUMBING SPECIALTIES,INC	318132	91144 AP	02/04/2021	1-001-5-07-357	56483 JAIL PLUMBING SUPPLIES	890.52	
1388	CASH-WA DISTRIBUTING	CASH-WA DISTRIBUTING	318136	91148 AP	02/04/2021	1-001-5-07-261	800782 JAIL KITCHEN SUPPLIES	195.94	
5447	CITY WIDE MAINTENANC	CITY WIDE MAINTENANCE	318137	91149 AP	02/04/2021	1-001-5-32-296	JC JANITORIAL 01001100496 JANU	5,367.00	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-001-5-14-220	ELEC SVC 300 WALNUT/711 MARSHA	6,121.32	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-001-5-14-220	ELEC SVC 300 WALNUT/711 MARSHA	8,711.13	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-001-5-32-392	ELEC SVC JC	15,454.36	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-001-5-53-219	ELEC SVC NOX WEED	310.45	
							*** VENDOR 86 TOTAL		30,597.26
8726	FAGAN COMPANY	FAGAN COMPANY	318139	91151 AP	02/04/2021	1-001-5-32-209	24520 REPACE JC BACKFLOW PREVE	921.33	
6636	KANSAS GAS	KANSAS GAS SERVICE	318149	91161 AP	02/04/2021	1-001-5-05-215	512142220 2006970 09 GAS SERVI	574.88	
6636	KANSAS GAS	KANSAS GAS SERVICE	318149	91161 AP	02/04/2021	1-001-5-05-215	510263944 1556921 09 GAS SERVI	363.20	
6636	KANSAS GAS	KANSAS GAS SERVICE	318149	91161 AP	02/04/2021	1-001-5-14-220	510614745 1631910 36 GAS SVC	604.94	
							*** VENDOR 6636 TOTAL		1,543.02
1851	KANSAS ONE-CALL SYST	KANSAS ONE-CALL SYSTEM INC	318150	91162 AP	02/04/2021	1-001-5-31-290	08-LVPWD01 LOCATES SD1,2,5,BG	9.60	
1138	KELLER FIRE SAFETY	KELLER FIRE SAFETY	318153	91165 AP	02/04/2021	1-001-5-32-266	JUSTICE CENTER SEMI-ANNUAL INS	450.00	
1621	KRAMER & ASSOCIATES	KRAMER & ASSOCIATES CPA'S LLC	318154	91166 AP	02/04/2021	1-001-5-02-212	240802 PREPARATION/MAILING 109	68.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	318157	91169 AP	02/04/2021	1-001-5-02-301	CO CLERK VIEWBINDERS/STORAGE B	30.42	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	318157	91169 AP	02/04/2021	1-001-5-02-301	CO CLERK VIEWBINDERS/STORAGE B	32.51	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	318157	91169 AP	02/04/2021	1-001-5-19-301	DIST CT CLERK OFFICE SUPPLIES	575.82	
							*** VENDOR 4755 TOTAL		638.75
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-02-301	CO CLERK/ELECTION COPIER MAINT	11.40	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-03-301	OPL223_K - ANNEX COPY MACHINE	52.87	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-07-208	LC00_K SHF COPIER MAINT	409.42	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-07-208	LC00_K SHF COPIER MAINT	611.57	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-07-208	LC00_K SHF COPIER MAINT	223.63	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-07-208	LC00_K SHF COPIER MAINT	233.41	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-19-204	LC01_K DIST CT CLERK BACK COPI	19.19	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-19-204	OPK594_K DIST CT CSO COPIER	60.93	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-19-204	OPL306_K DIST CT 4TH FLOOR COP	28.86	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-001-5-49-301	CO CLERK/ELECTION COPIER MAINT	5.48	
							*** VENDOR 2059 TOTAL		1,656.76
11799	O'REILLY A	O'REILLY AUTOMOTIVE	318163	91175 AP	02/04/2021	1-001-5-07-213	39279 SHF - TAPE TO TEMP FIX U	5.99	
196	OLSSON	OLSSON, INC	318190	91195 AP	02/05/2021	1-001-5-06-206	2-1 ON-CALL ENGINEERING SVCS	3,606.50	
153	PRUESSNER	MICHELLE JEAN PRUESSNER	318165	91177 AP	02/04/2021	1-001-5-07-219	NURSE PRACTITIONER FOR JAIL	4,841.67	
4801	SAM	SURVEY AND MAPPING, LLC	318166	91178 AP	02/04/2021	1-001-5-42-291	GIS TECH SUPPORT	280.00	
300	SEARIGHT FAMILY	SEARIGHT FAMILY PRACTICE	318167	91179 AP	02/04/2021	1-001-5-07-219	DOCTOR- JAIL INMATES	1,200.00	
1392	SECRETARY OF STATE	SECRETARY OF STATE	318168	91180 AP	02/04/2021	1-001-5-19-203	NOTARY PUBLIC FEE - PATRICIA B	25.00	
915	SMITHEREEN PEST MANA	SMITHEREEN PEST MANAGEMENT	318169	91181 AP	02/04/2021	1-001-5-31-212	204513 PEST CONTROL, JC+CO BLD	510.00	
915	SMITHEREEN PEST MANA	SMITHEREEN PEST MANAGEMENT	318169	91181 AP	02/04/2021	1-001-5-32-211	204513 PEST CONTROL, JC+CO BLD	72.00	
							*** VENDOR 915 TOTAL		582.00
6575	STERICYCLE	STERICYCLE, INC	318170	91182 AP	02/04/2021	1-001-5-07-359	CUST 2237623 MEDICAL WASTE REM	174.80	
6575	STERICYCLE	STERICYCLE, INC	318170	91182 AP	02/04/2021	1-001-5-07-359	CUST 2237623 MEDICAL WASTE REM	164.80	
							*** VENDOR 6575 TOTAL		339.60
5610	UNION MILL SUPPLY	UNION MILL SUPPLY,LLC	318174	91186 AP	02/04/2021	1-001-5-07-359	SHF - DETERGENT, PRO DRY	1,074.00	
5610	UNION MILL SUPPLY	UNION MILL SUPPLY,LLC	318174	91186 AP	02/04/2021	1-001-5-07-359	SHF - DETERGENT, PRO DRY	750.00	
							*** VENDOR 5610 TOTAL		1,824.00

START DATE: 02/01/2021 END DATE: 02/05/2021

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#							
2	WATER DEPT	WATER DEPT	318176	91188 AP	02/04/2021	1-001-5-05-215	WTER SVC EMS 9101	60.47		
2	WATER DEPT	WATER DEPT	318191	91196 AP	02/05/2021	1-001-5-05-215	WATER SVC HEALTH/WIC/EMS ADMIN	82.66		
2	WATER DEPT	WATER DEPT	318176	91188 AP	02/04/2021	1-001-5-14-220	WATER SVC 312 5TH AVE,711,300	27.32		
2	WATER DEPT	WATER DEPT	318176	91188 AP	02/04/2021	1-001-5-14-220	WATER SVC 312 5TH AVE,711,300	223.86		
2	WATER DEPT	WATER DEPT	318176	91188 AP	02/04/2021	1-001-5-14-220	WATER SVC 312 5TH AVE,711,300	578.50		
2	WATER DEPT	WATER DEPT	318176	91188 AP	02/04/2021	1-001-5-32-392	WATER SVC JUSTICE CENTER	3,887.56		
								*** VENDOR	2 TOTAL	4,860.37
961	WESTERN DETENTION	WESTERN DETENTION	318177	91189 AP	02/04/2021	1-001-5-07-359	SHERIFF - BRASS JAIL KEYS	97.50		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-11-253	CO ATTY - INVESTIGATIVE EXPENS	117.00		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-14-331	EMS FUEL	4,527.18		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-14-332	SHERIFFS FUEL	4,309.13		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-14-334	APPRAISER JAN GASOLINE	126.30		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-14-335	PLANNING & ZONING FUEL	39.10		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-001-5-14-901	0496-00-668063-1	1,381.92		
								*** VENDOR	276 TOTAL	10,500.63
								TOTAL FUND 001		76,449.21
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1629	KU PHYSICIANS	KANSAS UNIVERSITY PHYSICIANS I	318155	91167 AP	02/04/2021	1-108-5-00-280	PRENATAL CLINICAL SERVICES	1,800.00		
1629	KU PHYSICIANS	KANSAS UNIVERSITY PHYSICIANS I	318155	91167 AP	02/04/2021	1-108-5-00-280	PRENATAL CLINICAL SERVICES	1,800.00		
								*** VENDOR	1629 TOTAL	3,600.00
2	WATER DEPT	WATER DEPT	318191	91196 AP	02/05/2021	1-108-5-00-219	WATER SVC HEALTH/WIC/EMS ADMIN	62.00		
2	WATER DEPT	WATER DEPT	318191	91196 AP	02/05/2021	1-108-5-00-606	WATER SVC HEALTH/WIC/EMS ADMIN	20.67		
								*** VENDOR	2 TOTAL	82.67
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-108-5-00-304	HEALTH DEPT FUEL	25.22		
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-108-5-00-612	HEALTH DEPT FUEL	89.19		
								*** VENDOR	276 TOTAL	114.41
								TOTAL FUND 108		3,797.08
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1831	USD 469 AFTER SCHOOL	USD 469 AFTER SCHOOL VILLAGE	318175	91187 AP	02/04/2021	1-121-5-00-208	STATE REIMB P2101-9 2ND QUARTE	3,544.35		
26730	YAC	YOUTH ACHIEVEMENT CENTER	318181	91193 AP	02/04/2021	1-121-5-00-204	STATE REIM P2101-7	2,790.00		
								TOTAL FUND 121		6,334.35
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276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-126-5-00-225	COMMUNITY CORRECTIONS FUEL	20.08		
								TOTAL FUND 126		20.08
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2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	318161	91173 AP	02/04/2021	1-130-5-00-2	LC00_K COPIER MAINT CCH	124.57		
								TOTAL FUND 130		124.57
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26195	ADVANCE AUTO PARTS	GENERAL PARTS DISTRIBUTION	318126	91138 AP	02/04/2021	1-133-5-00-360	2-2 323860 HYD FITTINGS	11.00		
18634	AMERICAN E	AMERICAN EQUIPMENT CO	318128	91140 AP	02/04/2021	1-133-5-00-360	2-3 JOYSTICK,PROP,2-AXIS,STOP	645.49		
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	318135	91147 AP	02/04/2021	1-133-5-00-303	2-4 430742 ROCK, ROAD SEAL	32,046.24		
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	318135	91147 AP	02/04/2021	1-133-5-00-361	2-4 430742 ROCK, ROAD SEAL	33,604.44		
117	BUILDEX, LLC	HAMM INC (FORMERLY BUILDEX)	318135	91147 AP	02/04/2021	1-133-5-00-361	2-4 430742 ROCK, ROAD SEAL	13,763.00		
								*** VENDOR	117 TOTAL	79,413.68
86	EVERGY	EVERGY KANSAS CENTRAL INC	318189	91194 AP	02/05/2021	1-133-5-00-251	2-24 ELEC SVC NORTH END SALT D	76.49		
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	318141	91153 AP	02/04/2021	1-133-5-00-360	2-6 016993 MUFFLER, ELEMENT, R	199.77		
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	318141	91153 AP	02/04/2021	1-133-5-00-360	2-6 016993 MUFFLER, ELEMENT, R	105.59		
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	318141	91153 AP	02/04/2021	1-133-5-00-360	2-6 016993 MUFFLER, ELEMENT, R	545.59		
								*** VENDOR	2588 TOTAL	240.23
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-133-5-00-361	2-7 300467 ROCK	2,016.31		
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-133-5-00-361	2-7 300467 ROCK	1,152.50		
								*** VENDOR	434 TOTAL	3,168.81

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#					
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-133-5-00-306	2-12 218331 ICE/SNOW MELT, ROC	7,291.11	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-133-5-00-306	2-12 218331 ICE/SNOW MELT, ROC	8,369.79	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-133-5-00-306	2-12 218331 ICE/SNOW MELT, ROC	4,891.05	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-133-5-00-361	2-12 218331 ICE/SNOW MELT, ROC	427.25	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-133-5-00-361	2-12 218331 ICE/SNOW MELT, ROC	1,035.21	
							*** VENDOR 369 TOTAL		22,014.41
191	HOME DEPOT	HOME DEPOT USA	318146	91158 AP	02/04/2021	1-133-5-00-312	2-16 1111680 TOOLS, SHOP SUPPL	535.56	
191	HOME DEPOT	HOME DEPOT USA	318146	91158 AP	02/04/2021	1-133-5-00-326	2-16 1111680 TOOLS, SHOP SUPPL	20.87	
191	HOME DEPOT	HOME DEPOT USA	318146	91158 AP	02/04/2021	1-133-5-00-365	2-16 1111680 TOOLS, SHOP SUPPL	1,150.00	
191	HOME DEPOT	HOME DEPOT USA	318146	91158 AP	02/04/2021	1-133-5-00-365	2-16 1111680 TOOLS, SHOP SUPPL	456.70	
							*** VENDOR 191 TOTAL		2,163.13
368	INDEPENDEN	INDEPENDENT SALT CO	318147	91159 AP	02/04/2021	1-133-5-00-306	2-8 2KSLEAV ICE CONTROL SAND	13,022.65	
1190	KAC	KANSAS ASSN OF COUNTIES	318148	91160 AP	02/04/2021	1-133-5-00-209	2-9 2021 SUB - LOCAL RD ENGINE	440.00	
8466	KDHE PERMITS	KDHE-BUREAU OF WTER	318152	91164 AP	02/04/2021	1-133-5-00-209	2-18 ANNUAL WASTEWATER PERMIT	60.00	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	318160	91172 AP	02/04/2021	1-133-5-00-360	2-10 95988 EGR COOLER KIT	1,089.03	
24	NATIONAL SIGN	NATL SIGN CO INC	318162	91174 AP	02/04/2021	1-133-5-00-363	2-11 CUSTOM ID SITCKERS	489.49	
196	OLSSON	OLSSON,INC	318190	91195 AP	02/05/2021	1-133-5-00-213	2-1 ON-CALL ENGINEERING SVCS	1,887.25	
1123	POMPMIDWEST	POMP'S TIRE SERVICE INC	318164	91176 AP	02/04/2021	1-133-5-00-309	2-13 1960724 IRS	1,221.00	
113	SUMNERONE INC	SUMNERONE INC	318171	91183 AP	02/04/2021	1-133-5-00-301	2-14 50ULC08 COPIER MAINT	42.46	
22972	TRANSFER STATION	TRANSFER STATION	318172	91184 AP	02/04/2021	1-133-5-00-214	2-15 ACCT 656 CONSTRUCTION	121.00	
375	TUFTE, STEPHAN	STEPHAN TUFTE	318173	91185 AP	02/04/2021	1-133-5-00-213	2-19 PROFESSIONAL SURVEY SERVI	1,550.00	
2007	WIRENUTS	WIRENUTS	318180	91192 AP	02/04/2021	1-133-5-00-207	2-17 3 MONTHS MONITORING SHOP/	179.70	
							TOTAL FUND 133		127,355.36
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-136-5-00-201	COMMUNITY CORRECTIONS JISP/CMA	16.08	
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-136-5-00-221	COMMUNITY CORRECTIONS JISP/CMA	16.07	
							*** VENDOR 276 TOTAL		32.15
							TOTAL FUND 136		32.15
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	318141	91153 AP	02/04/2021	1-137-5-00-320	2-1 016993 FUEL ELEMENT, LAMP,	79.65	
2588	FOLEY EQUIPMENT	FOLEY EQUIPMENT	318141	91153 AP	02/04/2021	1-137-5-00-320	2-1 016993 FUEL ELEMENT, LAMP,	438.78	
							*** VENDOR 2588 TOTAL		518.43
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	692.02	
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	662.20	
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	4,379.41	
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	944.75	
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	1,868.70	
434	HAMM QUARR	HAMM QUARRIES	318143	91155 AP	02/04/2021	1-137-5-00-312	2-2 300467 ROCK	2,140.22	
							*** VENDOR 434 TOTAL		10,687.30
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	176.83	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	198.43	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	1,230.78	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	594.86	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	389.23	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	204.91	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	428.98	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	429.84	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	209.38	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	599.04	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	652.32	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	785.23	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	809.58	

TYPES OF CHECKS SELECTED: \* ALL TYPES

		P.O.NUMBER	CHECK#						
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	141.27	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	830.59	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-4218331 ROCK	1,394.78	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	926.07	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	486.29	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	1,421.57	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	1,426.17	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	191.95	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	1,024.13	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	236.74	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	233.14	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	134.62	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	722.31	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	206.93	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	409.83	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	826.85	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	792.87	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	698.69	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	200.59	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	318145	91157 AP	02/04/2021	1-137-5-00-312	2-3 218331 ROCK	1,006.99	
							*** VENDOR	369 TOTAL	20,021.79
							TOTAL FUND 137		31,227.52
-----									
2621	BOOKER TERRY	TERRY BOOKER	318133	91145 AP	02/04/2021	1-145-5-00-256	MEALS RESERVED	7,828.50	
2621	BOOKER TERRY	TERRY BOOKER	318133	91145 AP	02/04/2021	1-145-5-00-256	MEALS RESERVED	7,792.80	
							*** VENDOR	2621 TOTAL	15,621.30
313	BROTHERS DISPOSAL	BROTHERS DISPOSAL LLC	318134	91146 AP	02/04/2021	1-145-5-00-208	FEBRUARY TRASH - COUNCIL ON AG	75.00	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-145-5-00-246	ELEC SVC CO ON AGING	764.62	
184	FLORENCE R	FLORENCE RIFORD SENIOR CTR	318140	91152 AP	02/04/2021	1-145-5-00-246	FEBRUARY UTILITY STIPEND - TON	82.00	
184	FLORENCE R	FLORENCE RIFORD SENIOR CTR	318140	91152 AP	02/04/2021	1-145-5-05-202	FEBRUARY UTILITY STIPEND - TON	110.00	
184	FLORENCE R	FLORENCE RIFORD SENIOR CTR	318140	91152 AP	02/04/2021	1-145-5-07-202	FEBRUARY UTILITY STIPEND - TON	8.00	
							*** VENDOR	184 TOTAL	200.00
89	HICKORY VILAS	HICKORY VILLAS, LLC	318144	91156 AP	02/04/2021	1-145-5-00-246	FEB UTILITY STIPEND - BASEHOR	82.00	
89	HICKORY VILAS	HICKORY VILLAS, LLC	318144	91156 AP	02/04/2021	1-145-5-05-202	FEB UTILITY STIPEND - BASEHOR	110.00	
89	HICKORY VILAS	HICKORY VILLAS, LLC	318144	91156 AP	02/04/2021	1-145-5-07-202	FEB UTILITY STIPEND - BASEHOR	8.00	
							*** VENDOR	89 TOTAL	200.00
11055	LEAV CO HU	LEAV CO HUMAN SERV COUNCIL	318156	91168 AP	02/04/2021	1-145-5-00-258	MEMBERSHIP - CONNIE HARMON	12.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	318157	91169 AP	02/04/2021	1-145-5-00-301	CO ON AGING - PENCILS	41.48	
859	MEALS ON WHEELS ASSN	MEALS ON WHEELS ASSN OF AMERIC	318159	91171 AP	02/04/2021	1-145-5-00-208	2021 MEMBERSHIP (PRORATED) CO	131.25	
276	WEX	WEX BANK	318178	91190 AP	02/04/2021	1-145-5-00-304	CO ON AGING FUEL	2,166.17	
1762	WINDSOR PARK LLC	WINDSOR PARK LLC	318179	91191 AP	02/04/2021	1-145-5-00-215	MARCH RENT - COUNCIL ON AGING	5,280.62	
							TOTAL FUND 145		24,492.44
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1695	HALCO EQUIPMENT	HALCO EQUIPMENT	318142	91154 AP	02/04/2021	1-153-5-00-3	L2042 SHOULDERING MACHINE 16-0	31,914.00	
							TOTAL FUND 153		31,914.00
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86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-160-5-00-210	ELEC SVC TRANSFER STATION	315.73	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-160-5-00-210	ELEC SVC TRANSFER STATION	119.09	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-160-5-00-210	ELEC SVC TRANSFER STATION	597.25	
							*** VENDOR	86 TOTAL	1,032.07
							TOTAL FUND 160		1,032.07

START DATE: 02/01/2021 END DATE: 02/05/2021

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#					
196	OLSSON	OLSSON, INC	318187	1541 AP	02/04/2021	1-171-5-05-201	2-1 ON-CALL ENGINEERING SVCS	3,326.70	
115	SCHLAGEL	SCHLAGEL & ASSOCIATES, PA	318188	1542 AP	02/04/2021	1-171-5-04-302	2-2 PROJ 18131 PROFESSIONALS S	991.44	
115	SCHLAGEL	SCHLAGEL & ASSOCIATES, PA	318188	1542 AP	02/04/2021	1-171-5-04-302	2-2 PROJ 18131 PROFESSIONALS S	232.50	
115	SCHLAGEL	SCHLAGEL & ASSOCIATES, PA	318188	1542 AP	02/04/2021	1-171-5-04-302	2-2 PROJ 18131 PROFESSIONALS S	6,435.50	
115	SCHLAGEL	SCHLAGEL & ASSOCIATES, PA	318188	1542 AP	02/04/2021	1-171-5-04-302	2-2 PROJ 18131 PROFESSIONALS S	791.00	
115	SCHLAGEL	SCHLAGEL & ASSOCIATES, PA	318188	1542 AP	02/04/2021	1-171-5-04-302	2-2 PROJ 18131 PROFESSIONALS S	9,526.75	
							*** VENDOR	115 TOTAL	17,977.19
							TOTAL FUND 171		21,303.89
86	EVERGY	EVERGY KANSAS CENTRAL INC	318189	91194 AP	02/05/2021	1-174-5-00-210	ELEC SVC 3 TOWERS 5229945041	510.41	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318189	91194 AP	02/05/2021	1-174-5-00-210	ELEC SVC 3 TOWERS 5229945041	353.05	
86	EVERGY	EVERGY KANSAS CENTRAL INC	318189	91194 AP	02/05/2021	1-174-5-00-210	ELEC SVC 3 TOWERS 5229945041	238.82	
							*** VENDOR	86 TOTAL	1,102.28
							TOTAL FUND 174		1,102.28
86	EVERGY	EVERGY KANSAS CENTRAL INC	318138	91150 AP	02/04/2021	1-195-5-00-290	ELEC SVC JDC	430.61	
							TOTAL FUND 195		430.61
1851	KANSAS ONE-CALL SYST	KANSAS ONE-CALL SYSTEM INC	318150	91162 AP	02/04/2021	1-210-5-00-2	08-LVPWD01 LOCATES SD1,2,5,BG	3.60	
							TOTAL FUND 210		3.60
1851	KANSAS ONE-CALL SYST	KANSAS ONE-CALL SYSTEM INC	318150	91162 AP	02/04/2021	1-212-5-00-2	08-LVPWD01 LOCATES SD1,2,5,BG	4.80	
							TOTAL FUND 212		4.80
1851	KANSAS ONE-CALL SYST	KANSAS ONE-CALL SYSTEM INC	318150	91162 AP	02/04/2021	1-218-5-00-2	08-LVPWD01 LOCATES SD1,2,5,BG	1.20	
							TOTAL FUND 218		1.20
8466	KDHE PERMITS	KDHE BUREAU OF WATER	318151	91163 AP	02/04/2021	1-219-5-00-4	DEPT SERVICE PAYMENT #29	11,959.11	
							TOTAL FUND 219		11,959.11
537	LEAV TIMES	LEAVENWORTH TIMES	318158	91170 AP	02/04/2021	1-220-5-03-400	2-1 SH-22 BRIDGE REPL BID NOTI	164.25	
							TOTAL FUND 220		164.25
							TOTAL ALL CHECKS		337,748.57

TYPES OF CHECKS SELECTED: \* ALL TYPES

FUND SUMMARY

001	GENERAL	76,449.21
108	COUNTY HEALTH	3,797.08
121	JUVENILE JUSTICE AUTHORITY	6,334.35
126	COMM CORR ADULT	20.08
130	CCH PERMITS	124.57
133	ROAD & BRIDGE	127,355.36
136	COMM CORR JUVENILE	32.15
137	LOCAL SERVICE ROAD & BRIDGE	31,227.52
145	COUNCIL ON AGING	24,492.44
153	PUBLIC WORKS,EQUIP.RESERVE FUND	31,914.00
160	SOLID WASTE MANAGEMENT	1,032.07
171	S TAX CAP RD PROJ: 2015 SERIES	21,303.89
174	911	1,102.28
195	JUVENILE DETENTION	430.61
210	SEWER DISTRICT 1: HIGH CREST	3.60
212	SEWER DISTRICT 2: TIMBERLAKES	4.80
218	SEWER DIST #5	1.20
219	SEWER DIST #7: CEDAR LAKE SUB (FAIRMOUN	11,959.11
220	CAP IMPR: RD & BRIDGE	164.25
	TOTAL ALL FUNDS	337,748.57

No ACH transfer this period.

Consent Agenda 2-10-2021  
Checks dated 2-1 through 2-5

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# Leavenworth County Request for Board Action

**Date:** February 10, 2021

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Approval:** *Bill Noll*

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Approval of Agreement for Maintenance of Roads in Cities for Leavenworth County and the City of Lansing

**Recommendation:** Approval

**Analysis:** Public Works has prepared updated agreements for all cities Leavenworth County to update our current interlocal agreements for roadway maintenance. These updated agreements delegate responsibility for maintenance of roadway surface, right-of-way, bridges and drainage structures as well as any entrances along the roadway, snow removal, landscaping and sidewalk/trails.

The proposed agreement formalizes the existing maintenance responsibilities. The City of Lansing was provided the drafted agreement for review during a work session on January 28th. We received verification from Michael Spicklemier, the Public Works Director and City Engineer on February 4th that they were in agreement with the attached proposed agreement.

**Alternatives:** Return for additional work, Deny, Table

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Total Amount Requested:** N/A

**Additional Attachments:**

Agreement for Maintenance of Roads in Cities

## **AGREEMENT FOR MAINTENANCE OF ROAD IN CITIES**

### **Leavenworth County City of Lansing**

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the City of Lansing, Kansas, hereinafter referred to as the “City”, and Leavenworth County hereinafter referred to as the “County”.

#### RECITALS:

WHEREAS, statute K.S.A. 68-572 allows the Board of County Commissioners and the governing body of the City of Lansing within such county to enter into agreements for the construction, reconstruction, or maintenance of any roads; and

WHEREAS, THE Board of County Commissioners desire to define the maintenance responsibilities of roads in cities and roads adjacent to the city limits, for the public safety and economic good of the county.

#### NOW THEREFORE, BE IT AGREED:

1. That the City will maintain all roads that are located within the city limits of said city, from the date of this agreement forward, unless stated otherwise by Exhibit “A” to this agreement.
2. All signs on roads in the City Limits to be maintained by the City, regardless of roadway maintenance responsibility.
3. That roads in and adjacent to the City and/or the City has annexed to the center-line of road, will be maintained from right-of-way to right-of-way as agreed to by Exhibit “A” to this agreement. “Maintenance” shall include but not limited to:
  - Maintenance of the road surface, shoulders, draining structures and back slopes as required
  - Maintenance, repair and replacement of road culverts
  - Routine maintenance and inspection of existing bridge structures
  - Snow Removal
4. All entrances along roadways shall be permitted and in accordance with the established policies and procedures by the jurisdiction maintaining the roadway.
5. Any finish mowing, trimming, or landscaping along any trail/sidewalk constructed by the City will be maintained by the city, regardless of roadway maintenance responsibility.
6. Curb and gutter roadways with storm water inlets and facilities will be maintained by the City. Road surface maintenance in these areas may be performed by the County, but only with explicit written agreement between both parties prior to commencement. These facilities are outside of the normal scope of operations for County maintenance crews.



7. The Board of County Commissioners or City Council may, if they so desire to, enter into agreement to reconstruct roads in City Limits or adjacent to City. This will typically be through a supplemental MOU to this document.
8. It is mutually agreed that if, at any time, improvements are made solely by the City, to any County maintained roadway, the City immediately accepts all future maintenance responsibility.
9. It is mutually agreed that the City can ask for assistance from the County for maintenance of city roads, or vice versa, whereby the machinery, equipment and employees of the county may maintain city roads with just compensation for the county. Compensation shall be determined and agreed upon before work begins. Compensation may include trading equipment, machinery and employees of the City and County for defined work.
10. Acquisition of any easements or right-of-ways necessary for the maintenance of any road shall be obtained by the party having legal jurisdiction of the road and shall be obtained in a timely manner upon determination such easements or right-of-ways are required.
11. This agreement shall not have a set term, rather it is the right of either the City or the County to terminate the agreement by providing to the other, in writing, notice of termination not less than one (1) year prior to the time of termination which shall take effect on the anniversary date of this agreement.
12. It is mutually agreed that the City will take over maintenance of all roads in the City Limits when the City reaches the status of a first class city.
13. The County agrees to waive any permit fees that may be assessed to the City when working within the right-of-way adjacent to a County Road, and vice versa.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be signed by their duly authorized officers, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Recommend for Approval

Attest:

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Janet Klasinski, County Clerk

(SEAL)

\_\_\_\_\_  
Mike Smith, Chairman, 4<sup>th</sup> District

\_\_\_\_\_  
Jeff Culbertson, 1<sup>st</sup> District

\_\_\_\_\_  
Vicky Kaaz, 2<sup>nd</sup> District

\_\_\_\_\_  
Doug Smith, 3<sup>rd</sup> District

\_\_\_\_\_  
Mike Stieben, 5<sup>th</sup> District

IN WITNESS WHEREOF the parties here to have caused this Agreement to be signed by their duly authorized officers, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020

Attest:

CITY OF LANSING, KANSAS

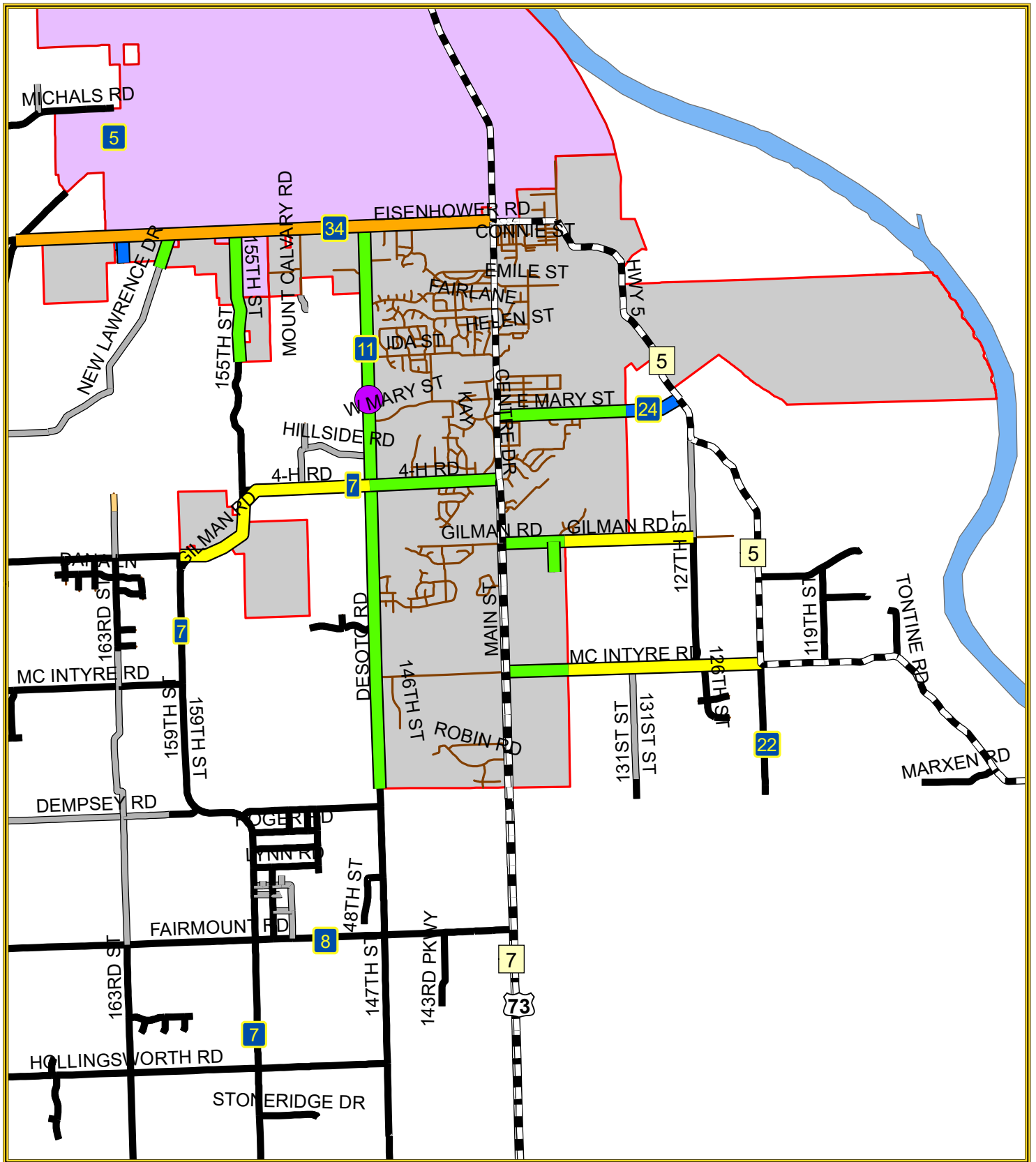
\_\_\_\_\_  
Sarah Bodensteiner, City Clerk

\_\_\_\_\_  
Tony McNeill, Mayor

**AGREEMENT FOR MAINTENANCE OF ROADS IN CITIES  
CITY OF LANSING  
EXHIBIT "A"**

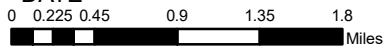
1. Roads within or adjacent to the City Limits to be maintained by the City of Lansing **<Shown in Green in Map Attachment>**
  - a. E Mary Street (US-73/K-7 east to City Limits at Lost 80 Park)
  - b. New Lawrence Road (Eisenhower Rd to 1,100ft south [City Limits])
  - c. 155<sup>th</sup> Street (1 mile South of Eisenhower Rd)
  - d. Gilman Rd (US-73/K-7 to 2500 feet East [City Limits])
  - e. McIntyre Rd (US-73/K-7 to City Limits)
  - f. DeSoto Rd/147<sup>th</sup> St/CR11 (Eisenhower to 0.8 miles South of McIntyre Rd& bridge D-18)
  - g. 136<sup>th</sup> St (Gilman Rd to Transfer Station gate)
  - h. 4-H Road (US-73/K-7 west to DeSoto Rd)
2. Roads within or adjacent to the City Limits not specifically identified in Exhibit A, Paragraph 1 to be maintained by the County of Leavenworth **<Shown in Yellow in Map Attachment>**
  - a. Gilman Rd (End of City Maintenance [Exhibit A No. 1.d] to 127<sup>th</sup>)
  - b. McIntyre Road (East of City Limits)
  - c. 4-H Road (West of DeSoto Rd to 159<sup>th</sup> St)
3. Roads within or adjacent to the City Limits not specifically identified in Exhibit A, Paragraph 1 or 2 to be maintained by the County of Leavenworth with snow removal provided by the City of Lansing **<Shown in Blue in Map Attachment>**
  - a. Whispering Winds Subdivision
    - i. 162<sup>nd</sup> Street (Eisenhower to 1000ft south)
    - ii. Whispering Winds Rd
    - iii. Sloan Road
    - iv. E Mary Street (City Limits east to K-5)
4. Eisenhower Road Maintenance is established by separate three party agreement between Leavenworth, Lansing and Leavenworth County **<Shown in Orange in Map Attachment>**
5. 7-Mile Bridge Maintenance is established by separate agreement between Lansing and Leavenworth County **<Shown in Purple in Map Attachment>**
6. All other roads not specifically listed that lie within the City Limits of the City of Lansing will be maintained by the City.
7. Any annexation by the city of Lansing that incorporates the adjacent ground on both sides of a road will be considered a city street. The maintenance of those roads will then transfer to the City of Lansing, except for the roads specifically listed in Exhibit A, Paragraph 1

INTERLOCAL AGREEMENT EXHIBIT  
CITY OF LANSING & LEAVENWORTH COUNTY



Prepared By:  
Leavenworth County Public Works  
300 Walnut St. Ste. 007  
Leavenworth, KS 66048

DATE



Legend	
State_Maintained_Roads	<b>CITYLIMITS_2011</b>
<b>Maint</b>	LANSING
Roads Maint. By Lansing	LEAVENWORTH
Roads Maint. By LVCO	
See Eisenhower Maint. Agreements	
Snow Removal By Lansing	
7 Mile Creek Agreement	
Lansing City Roads	

**Leavenworth County  
Request for Board Action  
Resolution 2021-03  
Rezoning Request from RR-5 to RR-2.5**

**Date:** February 10, 2021  
**To:** Board of County Commissioners  
**From:** Planning & Zoning Staff

**Department Head Review:**     Krystal Voth    

**Additional Reviews as needed:**

**Budget Review  Administrator Review  Legal Review**

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**Action Requested:** Approve Resolution 2021-03, a request to rezone the property located at 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5.

**Analysis:** The applicants are requesting a rezoning of lot 1, Cain Estates. The request is to rezone the parcel from the Rural Residential 5 zoning district to the Rural Residential 2.5 zoning district. The request is in conformance to the Comprehensive Plan.

**Planning Commission Recommendation:** The Planning Commission voted 9-0 to recommend approval of Case No. DEV-20-132 (Resolution 2020-03) Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5.

**Protest Petition:** A protest petition was filed with the County Clerks Office on January 27, 2021. The protest petition is valid. According to KSA-12-757, whenever a valid protest petition is filed, the resolution adopting the rezoning shall not be passed except by at least a  $\frac{3}{4}$  vote of all of the members of the governing body.

**Alternatives:**

1. Approve Resolution 2020-03 with at least  $\frac{3}{4}$  of the Board voting to approve, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2020-03, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2020-03, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

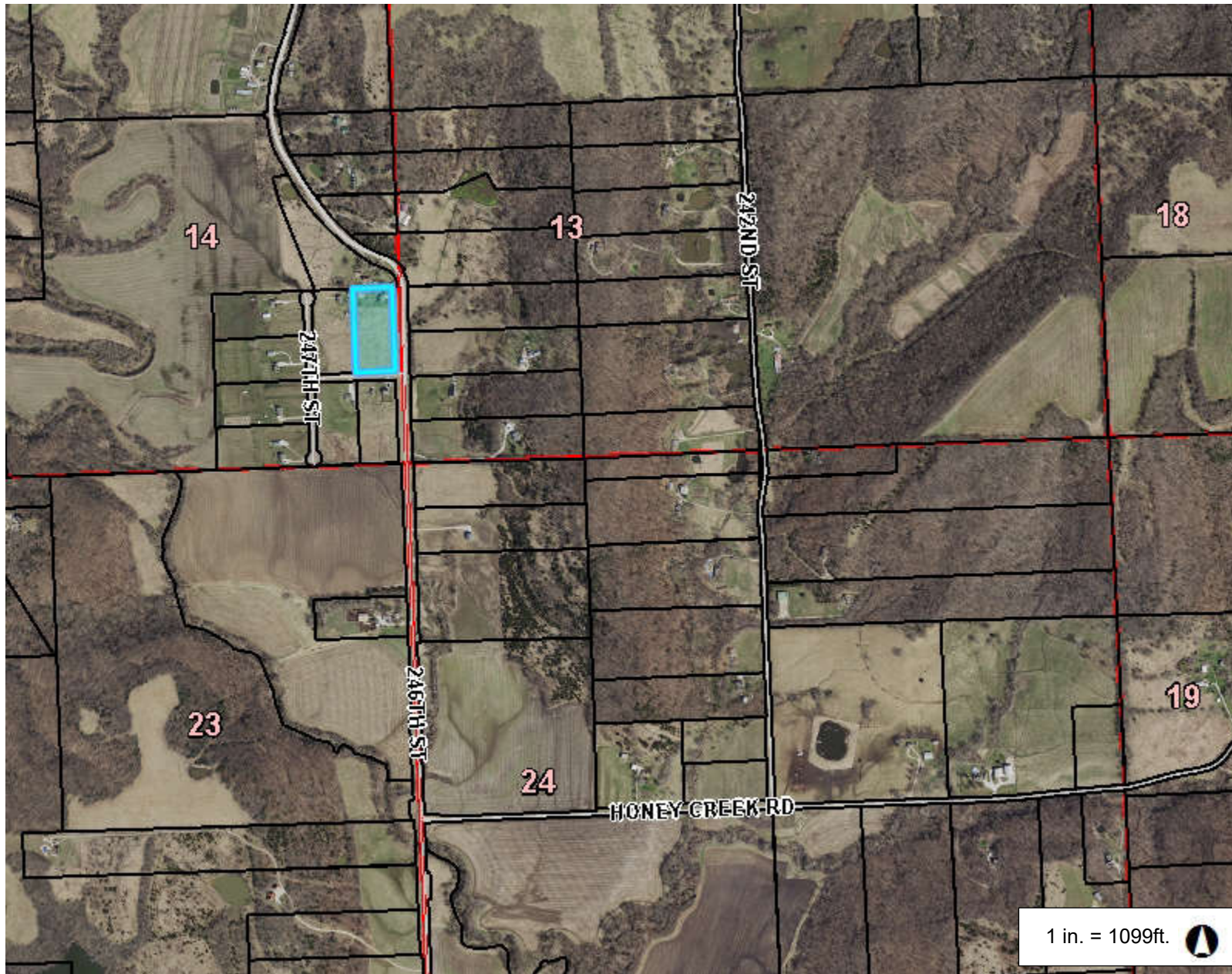
- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Total Amount Requested:**

\$0.00

**Additional Attachments:** Staff Report, Planning Commission Minutes, Protest Petition

# Rezoning Request - Lot 1, Cain Estates



## Legend

- Parcel
- City Limit Line
- Major Road**
- <all other values>
- 70
- Road
- Railroad
- Section**
- Section Boundaries
- County Boundary

## Notes

2,198.3      0      1,099.17      2,198.3 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



**Case No. DEV-20-132**  
**Rezoning from RR-5 to RR-2.5**  
**Resolution 2021-03**

**Staff Report – Board of County Commissioners**

**February 3, 2021**

**GENERAL INFORMATION:**

**Applicant/  
Property Owner:** Jack & Estee Willis  
410 Smiley Road  
Tonganoxie, KS 66086

**Legal Description:** Lot 1 of Cain Estates located in Section 14, Township 11, Range 20E in Leavenworth County, Kansas.

**Location:** 24646 Conley Avenue, located at the intersection of 246<sup>th</sup> & Conley.

**Parcel Size:** ± 5.3 acres

**Zoning/Land Use:** RR-5, Rural Residential 5-acre minimum size parcels

**Comprehensive Plan:** This parcel is within the Rural Residential 2.5 land use category.

**Parcel ID No.:** 206-14-0-00-00-006.06

**Planner:** Krystal A. Voth

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**REPORT:**

**Recommendation**

The Planning Commission voted 9-0 to recommend approval of Case No. DEV-20-132 (Resolution 2020-03) Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5.

**Request**

The applicant is requesting to rezone a parcel of land from Rural Residential 5 to Rural Residential 2.5.

**Adjacent Land Use**

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size. Rocking “C” Subdivision is to the west of the proposed rezoning.

**Flood Plain**

There are no Special Flood Hazard Areas, Zone X, on this parcel per FEMA Firm Map 20103C300G July 16, 2015.

**Utilities/Services**

Sewer: Private septic system  
Fire: Tonganoxie  
Water: RWD 13  
Electric: FreeState

**Access/Streets**

The property is accessed by Conley Avenue. This road is a County Local Road with a hard surface ± 30' wide.

**Agency Comments**

See attached comments – Memo – Tim Smith–Township Fire Department, December 14, 2020



### **Factors to be considered**

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is rural; agricultural uses and rural residences.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural use. Rocking "C" Estates is located to the west of the parcel and is zoned as a PUD with 2.5 acre lots.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suitable for rural residential development.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. Rezoning this parcel will allow the five-acre parcel to be divided in half resulting in the addition of one single family, rural home.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use is in accordance with existing land uses in the area.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Rural Residential 2.5
8. Staff recommendation is for the approval of the rezoning request.

### **Staff Comments**

The applicants are requesting a rezoning of lot 1, Cain Estates. The request is to rezone the parcel from the Rural Residential 5 zoning district to the Rural Residential 2.5 zoning district. The request is in conformance to the Comprehensive Plan. Staff is supportive of the request.

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### **STAFF RECOMMENDATION:**

The staff recommends approval of Case No.DEV-20-132, Rezoning from Rural Residential 5 to Rural Residential 2.5

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### **ACTION OPTIONS:**

1. Approve Resolution 2020-03 with at least ¾ of the Board voting to approve, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2020-03, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2020-03, Rezoning of 24646 Conley Avenue from Rural Residential-5 to Rural Residential-2.5, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

---

### **ATTACHMENTS:**

Narrative  
Location/Aerial Maps  
Memorandums

## Voth, Krystal

---

**From:** Timothy Smith <chief1860@ttrfd.com>  
**Sent:** Monday, December 14, 2020 8:03 AM  
**To:** Voth, Krystal  
**Subject:** Re: Rezoning Request - Lot 1 Cain Estates

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Tonganoxie Township has no issues with this requested lot split.

On Fri, Dec 11, 2020 at 11:07 AM Voth, Krystal <[KVoth@leavenworthcounty.gov](mailto:KVoth@leavenworthcounty.gov)> wrote:

Good morning.

Our office has received an application for a rezoning request for Lot 1 of Cain estates owned by Jack Willis. The current zoning is RR-5 (five acre minimum) and the request is to rezoning to RR-2.5. I can only assume the intention is to then split the property into two parcels. There is an existing home on the property with an access point off of Conley. Your written input/comments on this request are greatly appreciated by Friday, December 18. If you have any questions, please let me know. Thanks and have a great weekend.

Respectfully,

**Krystal A. Voth, CFM**

Director

Planning & Zoning

Leavenworth County

913.684.0461

--

Tim Smith, Chief  
*Tonganoxie Township Rural Fire Department*  
*President Kansas State Association Fire Chiefs*

18993 McLouth Rd  
Tonganoxie KS 66086

Phone: 913-845-3801

Fax: 913-845-3801

Cell: 816-392-2468

*Failure to Prepare*

*Is*

*Preparing to Fail*

# LEAVENWORTH COUNTY DEVELOPMENT APPLICATION PERMIT

CASE NUMBER DEV-20-132

PERMIT SUB-TYPE REZONING

PID 206-14-0-00-00-006.06 PARCEL SIZE 5 AC ZONE RR-5  
TWSP TONGANOXIE SCHOOL DIST 464 SDD NO  
SUBDIVISION Cain Estates LOT NO 1 BLOCK NO  
WATER DIST RWD 13 ELECTRIC FREESTATE SEWER DIST n/a  
FLOOD PLAIN IN PARCEL NO FLOOD PLAIN ON BUILDING SITE NO  
SITE ADDRESS 24646 Conley Ave  
SITE CITY Tonganoxie SITE STATE KS SITE ZIP CODE 66086

LAST NAME Willis FIRST NAME Jack/Estee PHONE 913-369-3901  
EMAIL  
ADDRESS 410 Smiley Rd  
CITY Tonganoxie STATE KS ZIP CODE 66086

CONSULTANT Joe Herring CONSULTANT PHONE 913-651-3858  
CONSULTANT EMAIL herringsurveying@outlook.com

PROPOSED ZONING RR-2.5 SUP CATEGORY - USE  
VARIANCE REGULATION CURRENT USE RESIDENTIAL ROAD n/a  
COMP PLAN USE DESIGNATION UGMA

SUBDIVISION TYPE GROSS ACREAGE COVENANTS NO  
MAXIMUM LOT SIZE MINIMUM LOT SIZE OPEN SPACE ACREAGE  
LOTS TRACTS TOTAL PARCELS DENSITY

NOTES: Rezone from RR-5 to RR-2.5

STAFF STAFF ACTION [ ] PUBLIC HEARING AGENDA AREA  
PC 1/13/2021 PC ACTION PENDING NOTICE PUB  
BOCC BOCC ACTION RESOLUTION PUB  
BZA BZA ACTION DURATION EXPIRATION

APPLICATION FEE \$300.00 TIF 0.00 BOND 0.00 TOTAL FEES \$300.00  
CHECK NO 5355 [ ] CASH [ ] CC TIFF CHECK NO

STAFF APPROVAL DATE

APPLICANT DATE

**REZONING APPLICATION**  
 Leavenworth County Planning Department  
 300 Walnut, St., Suite 212  
 County Courthouse  
 Leavenworth, Kansas 66048  
 913-684-0465

Office Use Only	
PID: <u>206-14 006.06</u>	Date Received: <u><del>10/14/20</del> Paid</u> <u>cx 5350</u>
Township <u>Tonganoxie</u>	
Planning Commission Date: <u>Jan 13, 2021</u>	
Case No. <u>DEV-20-132</u>	Date Paid <u><del>10/14/20</del></u>
Zoning District <u>RR-5</u>	
Comprehensive Plan land use designation _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Herring Surveying Company</u>	NAME <u>Jack &amp; Estee Willis</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>410 Smiley Road</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Tonganoxie, KS 66086</u>
PHONE <u>913-651-3858</u>	PHONE <u>N/A</u>
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>
CONTACT PERSON <u>Joe Herring</u>	CONTACT PERSON <u>N/A</u>

PROPOSED USE INFORMATION
Proposed Land Use <u>Rural Residential 2.5 LOT 1 CAIN ESTATES</u>
Reason for Requesting Rezoning <u>To match newly approved Comp Plan</u>

PROPERTY INFORMATION
Address of Property <u>24646 Conley Avenue</u>
Parcel Size <u>5 Ac</u>
Current use of the property <u>Rural Residential</u>
Present Improvements or structures <u>Single Family Home</u>

I, the undersigned am the (owner), (duly authorized agent), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature Joseph A. Herring Date 11/02/2020

Digitally signed by: Joseph A. Herring  
 DN: CN = Joseph A. Herring C = AD  
 Date: 2020.11.02 10:47:10 -0500

**ATTACHMENT A**

FROM

TO

Entered in Transfer Record in my office, this day of 19

County Clerk.

STATE OF KANSAS

County, } ss.

This instrument was filed for record on the day of 19 at o'clock M., and duly recorded in Book of Deeds, at page

Register of Deeds.

By Deputy.

FEES.

Register of Deeds, for recording. \$

County Clerk, for transfer, \$

Total, \$

THIS DEED, Made this 4th day of October 2006, between

Jack L. Willis and Estee M. Willis, husband and wife

of Leavenworth County, in the State of Kansas as first party, and

Jack L. Willis and Estee M. Willis, husband and wife

of Leavenworth County, in the State of Kansas as joint tenants with the right of survivorship and not as tenants in common, as second parties,

WITNESSETH: In consideration of the sum of

No Consideration and 100 Dollars

the receipt of which is hereby acknowledged, first part hereby convey and warrant unto second parties, as joint tenants with the right of survivorship and not as tenants in common, all the following described real estate situated in the County of Leavenworth State of Kansas, to wit:

Lots 1 and 2 Block 1 CAIN ESTATES, Leavenworth County, Kansas

Entered in the transfer record in my office this 4th day of October 2006 by Linda A. Schies County Clerk

STATE OF KANSAS COUNTY OF LEAVENWORTH-SS FILED FOR RECORD

2006 OCT -4 P 2:31

STACY R. DRISCOLL REGISTER OF DEEDS

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever, as joint tenants, the survivor to take the whole estate.

First party, for themselves, their heirs, executors and administrators do hereby covenant, promise and agree to and with second parties that at the delivery of these presents they are lawfully seized in own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above described premises together with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, estates, taxes, assessments and incumbrances of what nature or kind soever, except;

and that they will WARRANT AND FOREVER DEFEND the same unto second parties, as joint tenants with the right of survivorship and not as tenants in common, and the heirs and assigns of the survivor of them, against first party, heirs, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, first party do hereunto set their hand, the day and year first above written.

Jack L. Willis

Estee M. Willis

STATE OF Kansas

Leavenworth

COUNTY, ss.

BE IT REMEMBERED, That on this

undersigned, a Notary Public

4th day of October

2006, before me, the in and for the County and State aforesaid, came

Jack L. Willis and Estee M. Willis, husband and wife

who are personally known to me to be the same person who executed the foregoing deed, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

My appointment expires (Seal) BK0995PG1467

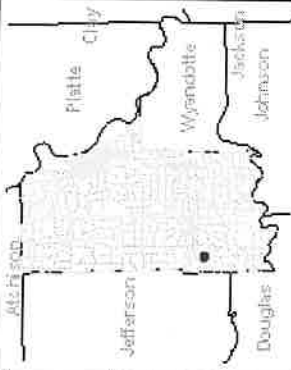
STACY R. DRISCOLL Notary Public - State of Kansas My Appt. Expires 12-2-06

Stacy R. Driscoll Notary Public





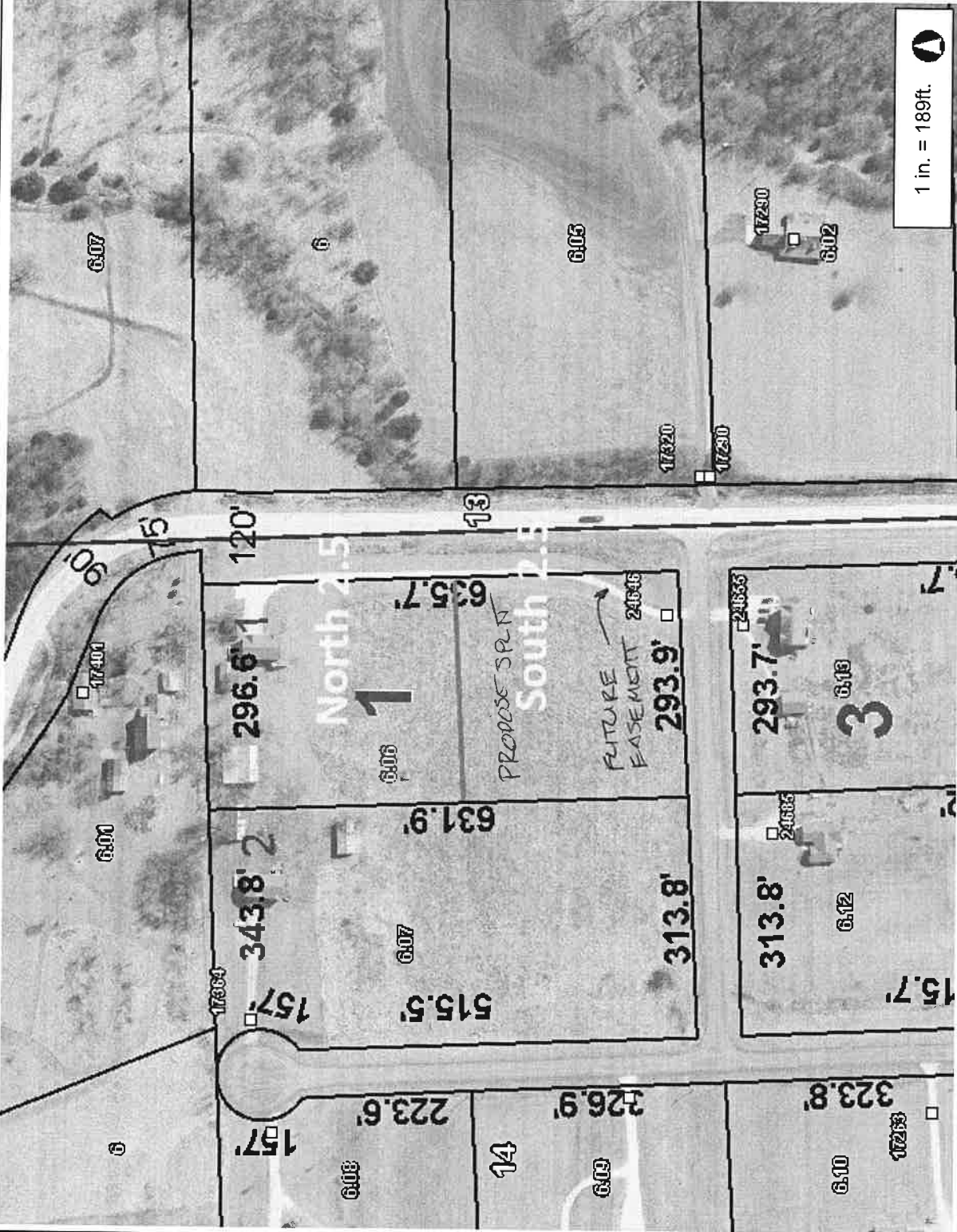
# Leavenworth County, KS



## Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Section Corner
- Section
- Section Boundaries
- County Boundary

## Notes



1 in. = 189ft.

378.5 0 189.27 378.5 Feet

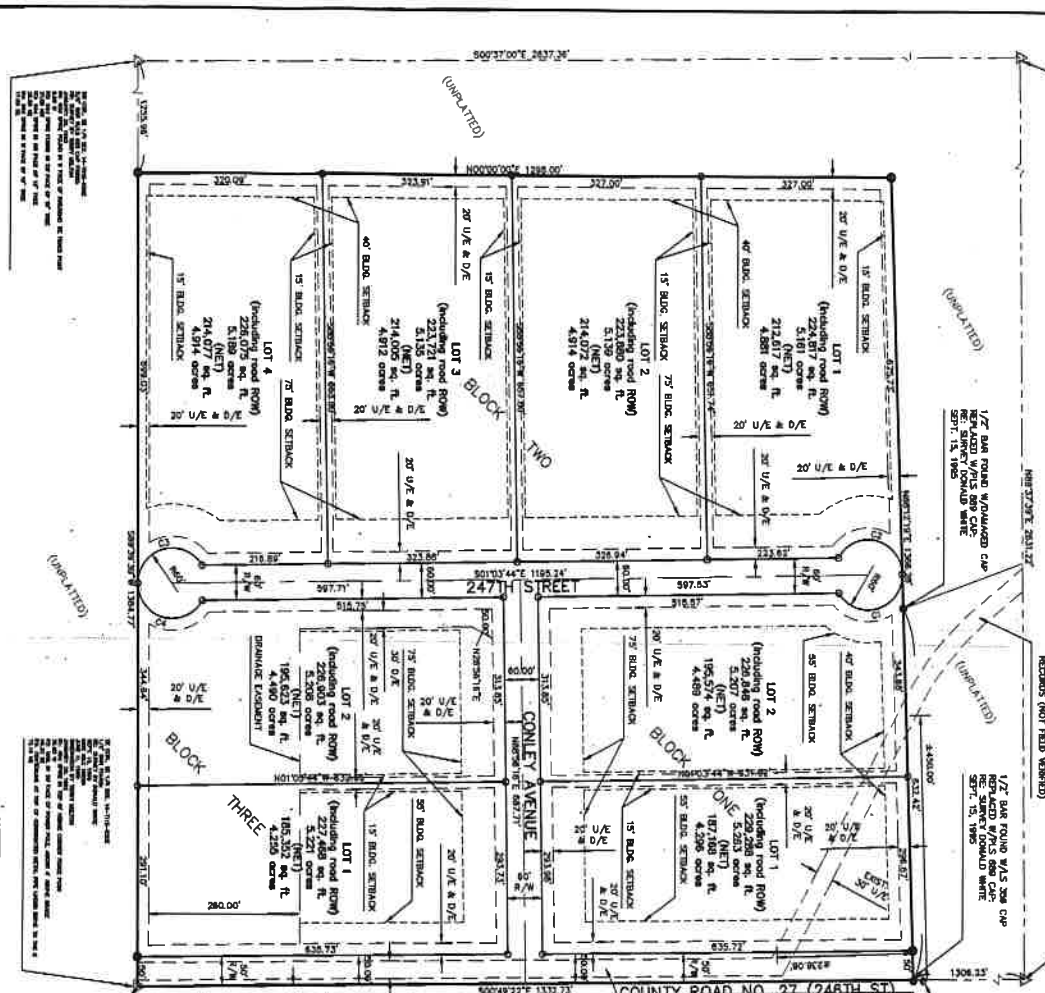
This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION



THIS PLAN IS THE PROPERTY OF THE LEVENWORTH COUNTY PLANNING BOARD, DO NOT REPRODUCE OR TRANSMIT IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE LEVENWORTH COUNTY PLANNING BOARD.

THIS PLAN IS THE PROPERTY OF THE LEVENWORTH COUNTY PLANNING BOARD, DO NOT REPRODUCE OR TRANSMIT IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE LEVENWORTH COUNTY PLANNING BOARD.

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**CERTIFICATION**

I, LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY PLANNING BOARD  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1

**COUNTY SUPERVISOR CERTIFICATION**

I, LEVENWORTH COUNTY SUPERVISOR, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY SUPERVISOR  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1

**NOTES**

1. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

2. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

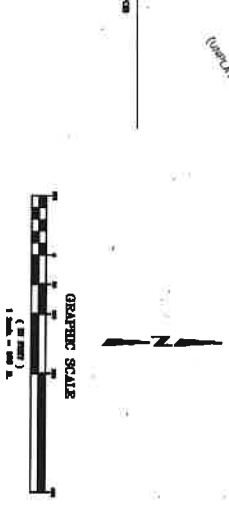
3. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

**RESTRICTIONS**

1. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

2. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

3. THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.



**LEGEND**

1. 1/2" x 3/4" ONE WAY DRIVE (P.S. AND) TO BE SET AS SHOWN ON THE PLAN TO ALLOW FOR COMPLETION OF PUBLIC IMPROVEMENTS.

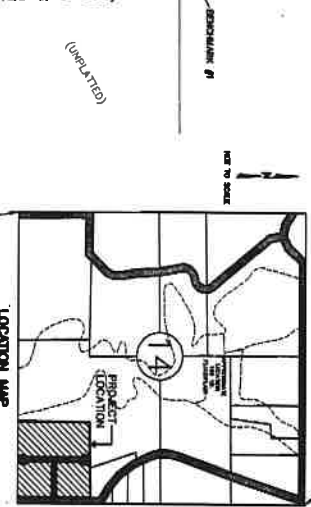
2. 1/2" x 3/4" ONE WAY DRIVE (P.S. AND) TO BE SET AS SHOWN ON THE PLAN TO ALLOW FOR COMPLETION OF PUBLIC IMPROVEMENTS.

3. 1/2" x 3/4" ONE WAY DRIVE (P.S. AND) TO BE SET AS SHOWN ON THE PLAN TO ALLOW FOR COMPLETION OF PUBLIC IMPROVEMENTS.

**ACKNOWLEDGMENT**

I, LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY PLANNING BOARD  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1



**A FINAL PLAT OF CAN ESTATES**

A SUBDIVISION IN LEVENWORTH COUNTY, KANSAS

SE 1/4 SEC. 14-T11S-R20E

**APPROVAL**

I, LEVENWORTH COUNTY SUPERVISOR, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY SUPERVISOR  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1

**TESTIMONY WHEREOF:**

I, LEVENWORTH COUNTY SUPERVISOR, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY SUPERVISOR  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1

**ACKNOWLEDGMENT**

I, LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEVENWORTH COUNTY PLANNING BOARD  
 JOHN ZIEGLER, ALDER, DIST. 1  
 JOHN ZIEGLER, ALDER, DIST. 1

**LEGAL DESCRIPTION**

SECTION 14-T11S-R20E, LEVENWORTH COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE LEVENWORTH COUNTY PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE LEVENWORTH COUNTY ZONING ORDINANCES.

## Voth, Krystal

---

**From:** Scott Almsberger <scottdavidalmsberger@gmail.com>  
**Sent:** Friday, January 1, 2021 6:13 PM  
**To:** PZ  
**Subject:** DEV-20-132

*Notice:* This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Dear Leavenworth County Planning Department,

We request a NO vote on rezoning 24646 Conley Ave. When I purchased my property across the street all parcels had to be 10 acres. Then the rules were changed to 5 acres. I can't agree to another change resulting in more homes on smaller lots. This would be a very odd rezoning that makes no sense. 5 acre lots in this area are the smallest while most are 10 or more acre lots. Adding more homes to this area would reduce the property values and impact wildlife.

Respectfully,  
Scott D. Almsberger  
17320 246th St.  
Tonganoxie, KS 66086

## **Voth, Krystal**

---

**From:** Janna Fackrell <jannafackrell@gmail.com>  
**Sent:** Thursday, December 31, 2020 10:16 AM  
**To:** PZ  
**Subject:** DEV-20-132

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

To Members of the Board,

We would like to respectfully request a 'No' vote for this rezoning request.

They are all 5 acre or greater lots currently, decreasing the size will allow many more houses and families to move in. We moved to the country for the quiet and our neighbors feel the same way. We would also like to protect our view of minimal houses and the wildlife currently in the area.

The land and surrounding areas is also in a flood zone.

Thank you for your consideration.

Respectfully,

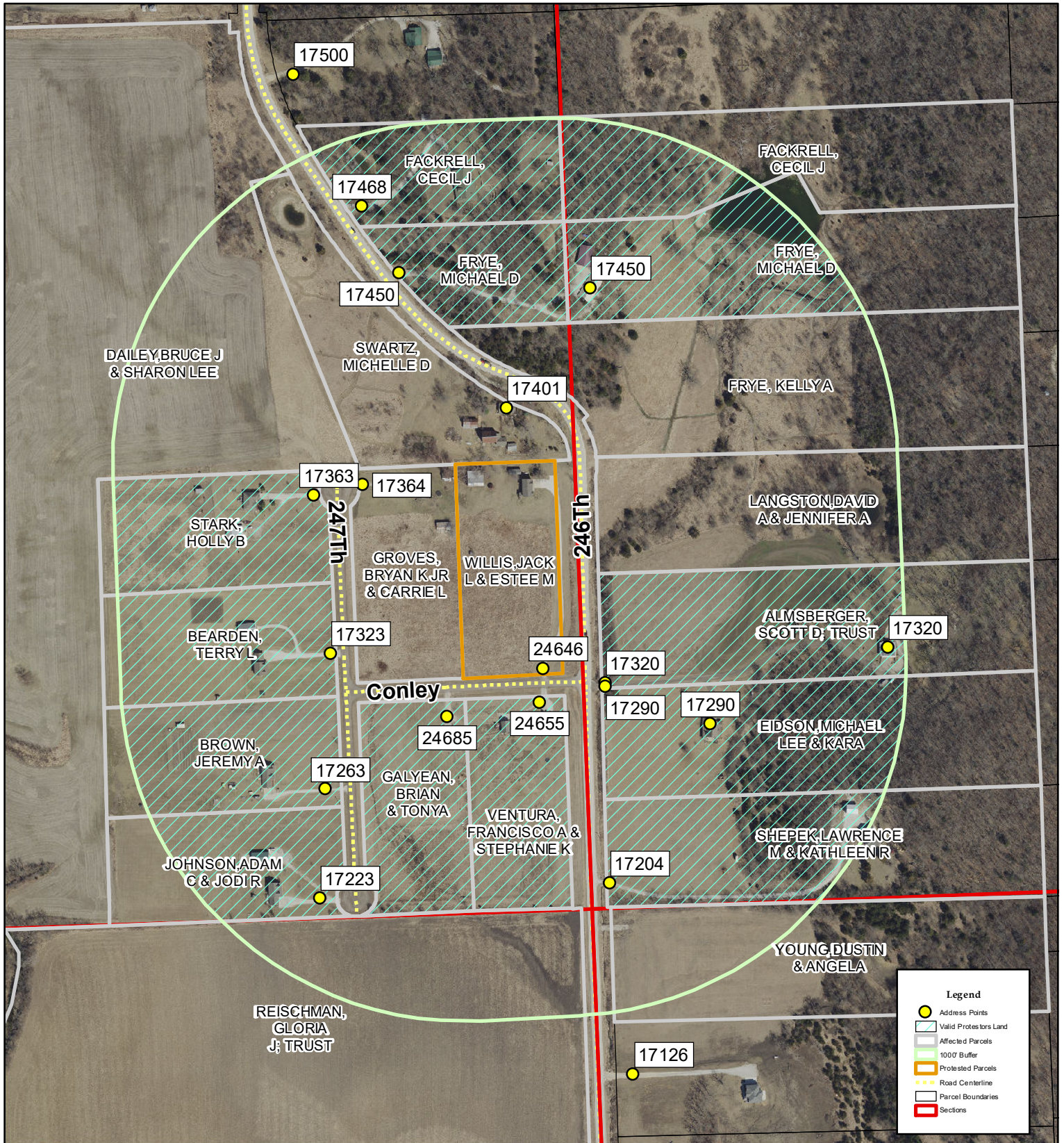
Cecil and Janna Fackrell  
17468 246th St  
Tonganoxie, KS 66086  
816-853-4130



# Protest Petition Property Radius Search



Total Acres Within Boundary: 117.82  
 20% of Total Acres: 23.56  
 Total Affected Acres: 60.68



24646 CONLEY AVE, Tonganoxie, KS 66086  
 206-14-0-00-00-006.06-0

1 inch = 389 feet





FILED

JAN 27 2021

LEAVENWORTH COUNTY KANSAS  
COUNTY CLERK  
PROTEST PETITION

We, the undersigned, in accordance with KSA 12-757, being the owners of record of the property enumerated below, protest the proposed Rezoning on the property described as Lot 1 Cain Estates

In Leavenworth County, commonly known as 24646 Conley Ave. Tonganoxie

For the following reasons:

We oppose any zoning that will increase noise and traffic that would affect peaceful enjoyment of our homes. We feel this would change or negatively affect the value of our homes, safety of children, and aesthetics of the environment and wildlife that we enjoy.

SIGNATURE	ADDRESS	DATE
<u>Stephanie Ventura</u>	<u>24655 Conley Ave.</u>	<u>January 18, 2021</u>
<u>[Signature]</u>	<u>17263 247th street</u>	<u>January 22, 2021</u>
<u>Holly Stark</u>	<u>17363 247th street</u>	<u>1-22-21</u>
<u>LARRY SHEPEK</u>	<u>17204 246th ST.</u>	<u>1-23-21</u>
<u>Kathleen Shepek</u>	<u>17204 246th St</u>	<u>1-23-21</u>
<u>[Signature]</u>	<u>17450 246 st (ALSO OWN LAND SOUTH)</u>	<u>1-23-2021</u>
<u>[Signature]</u>	<u>17320 246th ST</u>	<u>1-23-2021</u>
<u>[Signature]</u>	<u>17290 246th st.</u>	<u>1-23-2021</u>
<u>[Signature]</u>	<u>17250 246th St.</u>	<u>1/23/2021</u>
<u>[Signature]</u>	<u>17223 247th St.</u>	<u>1/23/2021</u>

STATE OF KANSAS )  
)  
COUNTY OF LEAVENWORTH )

Stephanie Ventura of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above and forgoing protest, and that she/he witnessed the above signatures.

Subscribed and sworn before me the 27th day of January, 20 21

Alexandria Martinez  
Notary Public

My Commission Expires 5/1/2024  
LEAVENWORTH COUNTY KANSAS

JAN 27 2021

FILED





**RESOLUTION 2021-03**

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from Rural Residential-5 to Rural Residential-2.5 on the following described property:

Lot 1 of Cain Estates, in Leavenworth County, Kansas more commonly known as 24646 Conley Avenue

WHEREAS, it is hereby found and determined that a request for a Rezoning as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 2<sup>nd</sup> day of November, 2020, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Rezoning on the 13<sup>th</sup> day of January, 2021; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Rezoning be approved; and

WHEREAS, the Board of County Commissioners considered, in session on the 3<sup>rd</sup> day of February, 2021, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commissioners in regular session on the 3<sup>rd</sup> day of February, 2021, and incorporated herein by reference;

That request for rezoning as described above, also known as 24646 Conley Avenue, Parcel Identification Number 206-14-0-00-00-006.06, is hereby granted.

Adopted this 3<sup>rd</sup> day of February, 2021  
Board of County Commission  
Leavenworth, County, Kansas

\_\_\_\_\_  
Michael Smith, Chairman

ATTEST

\_\_\_\_\_  
Jeff Culbertson, Member

\_\_\_\_\_  
Janet Klasinski

\_\_\_\_\_  
Vicky Kaaz, Member

\_\_\_\_\_  
Doug Smith, Member

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Mike Stieben, Member



# Leavenworth County Request for Board Action

**Date:** February 10, 2021

**To:** Board of County Commissioners

**From:** Tammy Saldivar, Leavenworth County Solid Waste Committee Secretary

**Department Head Approval:**

**Additional Reviews as needed:**

**Budget Review**  **Administrator Review**  **Legal Review**

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**Action Requested:** Adopt and forward the Leavenworth County KS 2021 Solid Waste Committee Member changes to KDHE.

**Recommendation:** Adopt the 2021 Solid Waste Committee update.

**Analysis:** The 2021 Leavenworth County Solid Waste Management Plan Annual Review is due to KDHE March 12, 2021. In order to comply with the requirements of KDHE, the BOCC must approve the changes.

**Alternatives:**

**Budgetary Impact:**

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

**Total Amount Requested:** N/A

**Additional Attachments:**

# COUNTY OF LEAVENWORTH

## SOLID WASTE DEPARTMENT

### Report for 2020

#### Tonnage

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- 27,852.62 tons processed
- 34,413 customers serviced up by 2709 customers from 2019
- 89.94 tons of tires received of that 1406 were for free tire day at a cost of \$2,812
- 49.97 tons of special waste (Grit) received
- Had 240 short loads which cost us \$9,565.57

#### Annual Clean-up

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- 307 Residents
- 207.75 Tons
- \$7,560 cost to host

#### KDHE

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- Sent updated Operating Plans for permits 901 & 755.
- Annual Composting Report sent and permit renewed until 12/22/21.
- Annual HHW Report sent and permit renewed until 6/11/21.
- Stormwater permit renewed until 3/28/21.
- Annual Transfer Station Report sent and permit renewed until 12/22/21.
- Discussed grants they have available.

#### HHW

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- Opened 4 new Business accounts
- Had 1,262 appointments

#### Recycle

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- Recycled 1,059 tons of co-mingled material.
- Recycled 51.51 tons of glass.
- Recycled 43.44 tons of cardboard.
- Recycled 2.08 tons of E-waste.
- Recycled 148.47 tons of metal.

# COUNTY OF LEAVENWORTH

## SOLID WASTE DEPARTMENT

### Tammy Saldivar - Director

#### Contact Information

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- Facility Address – 24967 136<sup>th</sup> St., Lansing, KS 66043
- Facility Phone – 913.727.2858
- Contact Email – [rshults@leavenworthcounty.gov](mailto:rshults@leavenworthcounty.gov)
- Facility Website – [www.leavenworthcounty.gov/ts](http://www.leavenworthcounty.gov/ts)

#### Items accepted for disposal

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- Municipal solid waste disposal – (Kitchen trash, clothes, furniture etc.)
- Construction Material – (Carpet, tile, lumber, building material etc.)
- Brush – (Tree limbs and bush trimmings free from trash bags, can, cups etc.)
- Leaves - free from tree limbs, paper bags, trash bags, can, cups etc.
- HHW – Accepted from Leavenworth County residents only or Leavenworth County businesses that have a completed, approved application on file. (Paint, Pesticides, Insecticides, Herbicides, Cleaners, Pool chemicals etc.) (Sharps accepted by residents only no businesses.)

#### Recycling

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- Co-mingled items are placed in the compactor. (Paper, Plastic, Tin cans, Cat food cans and Milk jugs.
- Glass items are placed in the purple container. (Beer bottles, Food jars rinsed, Windows without frames, Vases etc.
- Cardboard items are placed in the covered 40-yard container. (Broken down corrugated boxes. No Styrofoam. No trash.)
- Aluminum cans are placed in the container labeled as such. (No cat food cans allowed or aluminum foil.)
- Metal items come across the scale to be directed.
- Batteries come across the scale to be directed.
- E-Waste items come across the scale to be directed. (Tv's, Computers, Printers etc.)

#### Available for Purchase

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- Mulch – Up to 3 backhoe buckets for \$10.00 or free if you load.
- Compost - Up to 3 backhoe buckets for \$10.00 or free if you load. Currently still cooking so not available.

