

Anyone wishing to attend will need to call ahead at 913-684-0417 to reserve a seat as the meeting room has limited capacity. 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 2, 2022
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) Letter of support for RG Fiber
 - b) County Clerk stipend
- 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 January 26, 2022
- b) Approval of minutes of the work session of January 26, 2022
- c) Approval of the schedule for the week February 7, 2022
- d) Approval of the check register
- e) Approve and sign the OCB's
- f) Approve the agreement with Linaweaver Construction on the 158th St. project.
- g) Approve agreement with Finney and Turnipseed on Bridge ST-100 replacement project.

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve Resolution 2022-4, a rezone request from RR-5 to RR-1 located at 16630 Gilman Rd.
- b) Consider a motion to approve Resolution 2022-5, a renewal of a special use permit for Conley Siteworks.

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

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

ADJOURNMENT

WORK SESSION IMMEDIATELY FOLLOWING REGULAR MEETING TO DISCUSS ECONOMIC DEVELOPMENT

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, January 31, 2022

Tuesday, February 1, 2022

Wednesday, February 2, 2022

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

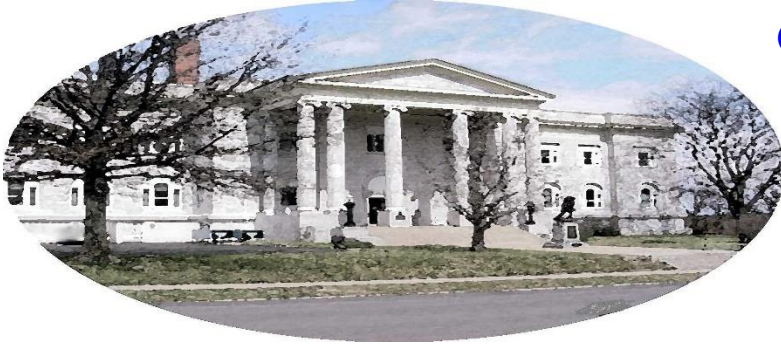
Thursday, February 3, 2022

Friday, February 4, 2022

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



COUNTY OF LEAVENWORTH
BOARD OF COUNTY COMMISSIONERS

300 Walnut, Suite 225
Leavenworth, Kansas 66048-2815
(913) 684-0417
Facsimile (913) 684-0410
email: bocc@leavenworthcounty.gov

February 2, 2022

Dear Mr. Bosch:

I write on behalf of the Leavenworth County Commission in support of RG Fiber's proposal to build a fiber optic internet service in our local community via grant funding from the Broadband Acceleration Grant. We strongly support this project to provide the critical infrastructure necessary to compete in a global digital economy.

The way America delivers the internet is as an afterthought, born on the backs of telephone, cable, and cellular networks. None of these networks were designed to handle the internet as we use it today, especially in the era of COVID where public life has been rerouted back into the home via online schooling, work from home and even video calls with healthcare providers. As a result, these outdated networks are insufficient to handle our current needs. Additionally, the rise of social media, streaming entertainment, and cloud-based streaming technology are creating an unprecedented demand.

Without sufficient internet infrastructure to satisfy this demand, we simply cannot participate equally in the future digital economy. The end result is that our community will no longer be able to enjoy the best educational opportunities, business technology, healthcare, economic development opportunities, and quality of life.

In conclusion, we fully support the efforts of RG Fiber as you seek to build out the region's most advanced fiber optic network, right here in our community. This will give our community and Leavenworth County a unique competitive advantage for several years to come.

Sincerely,

Mike Smith, Chairman
Leavenworth County Commission

*****January 26, 2022*****

The Board of County Commissioners met in a regular session on Wednesday, January 26, 2022. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Aaron Yoakum, Buildings and Grounds Director; TerriLois Mashburn, Register of Deeds; Jamie VanHouten, Community Corrections Director; Larry Malbrough, Information Systems Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, John and Karen Fernandez, Tim Porterfield, Joe Herring, Ron Grey

PUBLIC COMMENT:

Karen Fernandez, Tim Porterfield and Joe Herring commented on agenda items.

ADMINISTRATIVE BUSINESS:

Mark Loughry reminded the Board that today is Government Day.

Mr. Loughry requested the Board to authorize the chairman to sign an agreement with Garda for security at the Courthouse indicating the company has made the changes requested by the County Counselor.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize the chairman to sign an agreement approved by the County Administrator and County Counselor for Courthouse security not to exceed \$110,000.00.

Motion passed, 5-0.

Commissioner Doug Smith suggested a letter of appreciation to Nancy Bauder for her service on the KCATA Board.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, January 26, 2022 with the removal of the Grey's Corner case.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Grey's Corner Case Number DEV-21-188 & 189

Motion failed, 3-1, Commissioner Doug Smith did not vote.

Mr. Loughry requested an appointment to the NEK-CAP Board indicating Commissioner Kaaz was interested in serving.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to appoint Commissioner Vicky Kaaz to the NEK-CAP Board of Directors.

Motion passed, 5-0.

TerriLois Mashburn requested a transfer of funds in the amount of \$38,526.65 to the Register of Deeds Tech Fund.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to transfer \$38,526.65 to the Register of Deeds tech fund Board Order 1-001-4-04-9.

Motion passed, 5-0.

Bill Noll requested the Board to accept the selection committee recommendation and award design and construction engineering to MHS on the small bridge and culvert project.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the selection committee recommendation to award design and construction engineering of the small bridge and culvert project to MHS.

Motion passed, 5-0.

Mr. Noll requested to extend the Olsson master agreement for professional services through January 2023.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve additional funding and the hourly rates for the Olsson agreement for professional services.

Motion passed, 5-0.

Mr. Noll requested approval of the Annual Noxious Weeds Eradication Progress Report.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve and sign the Annual Noxious Weeds Eradication Progress Report for 2022.

Motion passed, 5-0.

Mr. Noll request to sell a 2016 Bandit XP 250 as surplus equipment on PurpleWave

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve placing a 2016 Bandit XP 250 chipper on the surplus equipment list for selling on the PurpleWave auction site.

Motion passed, 5-0.

Larry Malbrough presented the quarterly report for Information Systems.

Aaron Yoakum presented the quarterly report for Buildings and Grounds.

Jamie VanHouten presented the quarterly report for adult and juvenile Community Corrections.

Commissioner Stieben attended March for Life in Topeka and attended the Leavenworth County Fire Association meeting.

Commissioner Kaaz attended the Leavenworth City Commission meeting and the Workforce Partnership Board Meeting.

Commissioners Kaaz and Mike Smith will be attending the Leavenworth/Lansing Chamber Annual Banquet this Friday. Commissioner Mike Smith reported the city of Lansing will be placing a city pool on the ballot for the next election.

Commissioner Doug Smith participated in the MARC meeting and will attend the Basehor City Council meeting and Fairmount Township meeting.

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

Motion passed, 5-0.

The Board adjourned at 10:35 a.m.

Draft

*****January 26, 2022*****

The Board of County Commissioners met in a work session on Wednesday, January 26, 2022. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; Krystal Voth, Planning and Zoning Director; John Richmeier, Leavenworth Times;

Residents: Nancy Carpenter, John Matthews, Dennis Taylor, AW Himpel

A work session was held to discuss special use permits.

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

Draft

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, February 7, 2022

Tuesday, February 8, 2022

Wednesday, February 9, 2022

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

Thursday, February 10, 2022

12:00 p.m. LCDC meeting

Friday, February 11, 2022

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

START DATE: 01/22/2022 END DATE: 01/28/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#					
396	ACI BOLAND INC	ACI BOLAND INC	325499	96685 AP	01/28/2022	2-001-5-01-214	3-21113.02 CUSHING/EXTENSION O	23,299.50	
20588	ADVANTAGE	ADVANTAGE PRINTING	325451	96656 AP	01/26/2022	2-001-5-07-303	BUSINESS CARDS - LVSO ACCT 132	260.00	
249	AMBERWELL	ATCHISON HOSPITAL	325500	96686 AP	01/28/2022	2-001-5-07-206	SHERIFF - EMPLOYMENT PHYSICAL	245.00	
21036	ARROWHEAD	ARROWHEAD SCIENTIFIC INC	325501	96687 AP	01/28/2022	2-001-5-07-251	EVIDENCE SUPPLIES:GLOVES	1,169.10	
550	BECK, JUDITH	JUDITH BECK	325503	96689 AP	01/28/2022	2-001-5-07-219	PRO-RATED MEDICAL SERVICES FOR	4,092.69	
1523	BOB BARKER	BOB BARKER CO INC	325504	96690 AP	01/28/2022	2-001-5-07-359	CUST LEAKS4 JAIL SUPPLIES	544.80	
283	BUSETTI ROBERT	ROBERT BUSETTI	325506	96692 AP	01/28/2022	2-001-5-07-219	DENTIST FOR INMATES	350.00	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	325452	96657 AP	01/26/2022	2-001-5-14-220	20642-12019039952112 GAS SERVI	2,846.10	
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES,LLC	325452	96657 AP	01/26/2022	2-001-5-32-392	20642-12019296502112 GAS SERVI	5,234.75	
							*** VENDOR		
							5637 TOTAL		8,080.85
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-02-202	CLERK:KCCEOA DUES/CONF REGISTR	600.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-02-203	CLERK:KCCEOA DUES/CONF REGISTR	200.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-02-301	CLERKS OFFICE SUPPLY	51.85	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-03-301	CO TREAS SPEC:DIRECTV FOR ANNE	91.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-04-302	ROD:POSTAGE,PRIA CDT-NOT YET C	116.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-212	EMS FIELD BALANCE OF DEC STMT	49.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-216	EMS FIELD BALANCE OF DEC STMT	181.06	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-216	EMS FIELD BALANCE OF DEC STMT	130.06	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-282	EMS FIELD BALANCE OF DEC STMT	346.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-286	EMS FIELD BALANCE OF DEC STMT	230.98-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-302	MOREY/SARGENT:POSTAGE,VEH MAIN	5.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-306	MOREY/SARGENT:POSTAGE,VEH MAIN	116.25	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-350	MOREY/SARGENT:POSTAGE,VEH MAIN	42.90	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-350	MOREY/SARGENT:POSTAGE,VEH MAIN	20.00-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	MOREY/SARGENT:POSTAGE,VEH MAIN	32.85	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	MOREY/SARGENT:POSTAGE,VEH MAIN	13.95	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	MOREY/SARGENT:POSTAGE,VEH MAIN	46.98-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	EMS FIELD BALANCE OF DEC STMT	204.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	EMS FIELD BALANCE OF DEC STMT	510.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	EMS FIELD BALANCE OF DEC STMT	2,776.74	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-05-381	EMS FIELD BALANCE OF DEC STMT	1,108.67-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-06-306	ASFPM MEMBERSHIP RENEWAL	165.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-210	AT&T SHERIFF 1313	263.12	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-210	AT&T MONTHLY SHF 4728	46.23	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-301	WARD OFFICE SUPPLY,JAIL EXPENS	89.76-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-301	WARD OFFICE SUPPLY,JAIL EXPENS	24.58	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-301	WARD OFFICE SUPPLY,JAIL EXPENS	87.42	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-359	WARD OFFICE SUPPLY,JAIL EXPENS	149.94	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-360	WARD OFFICE SUPPLY,JAIL EXPENS	240.85-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-360	WARD OFFICE SUPPLY,JAIL EXPENS	15.67-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-362	WARD OFFICE SUPPLY,JAIL EXPENS	25.08-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-07-362	WARD OFFICE SUPPLY,JAIL EXPENS	19.69	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-11-211	CO ATTY: CAPITAL CONF AIRFARE	241.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-11-301	CO ATTY:OFFICE SUPPLIES	48.93	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-11-301	CO ATTY:OFFICE SUPPLIES	1,753.90	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-18-213	AT&T/CONTROLLED ACCESS FEES	1,372.75	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-31-288	BG:EMS,ANNEX,JC	470.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-31-297	BG:EMS,ANNEX,JC	5.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-31-317	BG:EMS,ANNEX,JC	57.94	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-32-391	JUSTICE CENTER LIGHTING,SNOW,M	1,398.67	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-32-391	BG:EMS,ANNEX,JC	166.11	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-32-391	BG:EMS,ANNEX,JC	624.80	

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-41-371	APPRAISER - OFFICE SUPPLIES	353.97		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-41-371	APPRAISER - OFFICE SUPPLIES	359.94		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-42-301	GIS:FRAMES	104.30		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-001-5-53-308	NOX WEED SAW SHARPENER,GRINDIN	359.18		
								*** VENDOR	648 TOTAL	11,765.03
546	CURTIS	CURTIS,STANLEY,AND ASSOCIATES	325507	96693 AP	01/28/2022	2-001-5-07-219	PRO-RATED MENTAL HEALTH SVC-IN	2,032.17		
1032	EMS	LEAV CO EMS	325508	96694 AP	01/28/2022	2-001-5-07-219	STATE AVE TO PROVIDENCE (LVSO)	576.00		
86	EVERGY	EVERGY KANSAS CENTRAL INC	325454	96661 AP	01/26/2022	2-001-5-53-219	ELEC SVC NOX WEED	286.43		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	240.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	310.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	140.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	130.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	165.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	125.00		
2410	FIRST CALL INC	FIRST CALL INC	325509	96695 AP	01/28/2022	2-001-5-13-211	INV 13867 NOVEMBER TRANSPORTS	400.00		
								*** VENDOR	2410 TOTAL	2,210.00
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	1,850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	425.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	245.20		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	60.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	19.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	72.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	52.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	325510	96696 AP	01/28/2022	2-001-5-13-271	INV 19116 DEC AUTOPSY SERVICES	254.00		
								*** VENDOR	5824 TOTAL	17,977.20
4465	GRONIS	GRONIS HARDWARE INC	325511	96697 AP	01/28/2022	2-001-5-07-301	LVSO OFFICE SUPPLIES	13.60		
4465	GRONIS	GRONIS HARDWARE INC	325511	96697 AP	01/28/2022	2-001-5-07-357	JAIL MAINT -RTU BELTS,HARDWARE	74.95		
4465	GRONIS	GRONIS HARDWARE INC	325511	96697 AP	01/28/2022	2-001-5-07-357	JAIL MAINT -RTU BELTS,HARDWARE	5.76		
								*** VENDOR	4465 TOTAL	94.31
6014	GUERRA,JOSE	JOSE GUERRA	325512	96698 AP	01/28/2022	2-001-5-11-240	APPEAL 2020-CR-435 HANSEN	600.00		
553	HANDLER, MICHAEL	MICHEAL HANDLER MD	325513	96699 AP	01/28/2022	2-001-5-11-213	16713845 TESTIMONY 2008CR659	1,500.00		
27486	INSIGHT	INSIGHT	325514	96700 AP	01/28/2022	2-001-5-18-254	10036173 TRENDMICRO SUBSCRIPTI	3,972.00		
6021	KADCCA	KADCCA % RHONDA WHITNEY	325516	96702 AP	01/28/2022	2-001-5-19-203	2022 DUES	200.00		

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
6021	KADCCA	KADCCA % RHONDA WHITNEY	325516	96702 AP	01/28/2022	2-001-5-19-203	2022 DUES		200.00	
								*** VENDOR	6021 TOTAL	400.00
1175	KANS CO APPRAISERS	KANSAS CO APPRAISERS ASSOC	325517	96703 AP	01/28/2022	2-001-5-41-203	BOB WEBER MEMBERSHIP		125.00	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-14-220	510614745 1628631 73 GAS TRANS		825.72	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-14-220	510614745 1631910 36 GAS SERVI		216.26	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-14-220	510614745 1631910 36 GAS SERVI		498.04	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-32-392	510614745 1628631 73 GAS TRANS		1,489.46	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-33-392	510614745 1562996 18 GAS TRANS		344.58	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-33-392	510614745 1562996 18 GAS TRANS		128.58	
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-001-5-33-392	510614745 1562996 18 GAS TRANS		2.79-	
								*** VENDOR	26400 TOTAL	3,499.85
1621	KRAMER & ASSOCIATES	KRAMER & ASSOCIATES CPA'S LLC	325520	96706 AP	01/28/2022	2-001-5-02-212	240802 PREP/MAILING 1099-S REA		25.00	
975	LEAV LANSI	LEAVENWORTH/LANSING CHAMBER	325521	96707 AP	01/28/2022	2-001-5-01-203	ANNUAL BANQUET M SMITH/V KAAZ		100.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-001-5-07-359	JAIL SUPPLIES		464.76	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-001-5-07-359	JAIL SUPPLIES		72.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325488	96674 AP	01/27/2022	2-001-5-07-359	JAIL SUPPLIES		59.00	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325488	96674 AP	01/27/2022	2-001-5-07-359	JAIL SUPPLIES		59.00	
								*** VENDOR	4755 TOTAL	654.76
537	LEAV TIMES	LEAVENWORTH TIMES	325458	96665 AP	01/26/2022	2-001-5-06-218	ACCT 267 NOTICES OF HEARINGS		16.40	
537	LEAV TIMES	LEAVENWORTH TIMES	325458	96665 AP	01/26/2022	2-001-5-06-218	ACCT 267 NOTICES OF HEARINGS		20.00	
537	LEAV TIMES	LEAVENWORTH TIMES	325458	96665 AP	01/26/2022	2-001-5-06-218	ACCT 267 NOTICES OF HEARINGS		20.00	
537	LEAV TIMES	LEAVENWORTH TIMES	325458	96665 AP	01/26/2022	2-001-5-06-218	ACCT 267 NOTICES OF HEARINGS		20.90	
								*** VENDOR	537 TOTAL	77.30
17244	MARLOW WHI	MARLOW WHITE UNIFORM CO	325522	96708 AP	01/28/2022	2-001-5-07-350	SHERIFF:HONOR GUARD GLOVES		18.50	
2128	MEYER BEATRICE	BEATRICE MEYER	325523	96709 AP	01/28/2022	2-001-5-19-205	JURY BAILIFF		138.75	
196	OLSSON	OLSSON, INC	325460	96667 AP	01/26/2022	2-001-5-06-206	PROF SERVICES PLANNING/ZONING		1,578.75	
1717	SEIFERT'S FLOORING	SEIFERT'S FLOORING	325526	96712 AP	01/28/2022	2-001-5-32-280	JUSTICE CENTER 180 SQ FT FLOOR		4,903.20	
248	SUMMIT FOOD	ELIOR, INC	325462	96669 AP	01/26/2022	2-001-5-07-261	INMATE MEALS		5,692.79	
248	SUMMIT FOOD	ELIOR, INC	325462	96669 AP	01/26/2022	2-001-5-07-261	INMATE MEALS		5,639.98	
248	SUMMIT FOOD	ELIOR, INC	325462	96669 AP	01/26/2022	2-001-5-07-261	INMATE MEALS		5,775.83	
248	SUMMIT FOOD	ELIOR, INC	325462	96669 AP	01/26/2022	2-001-5-07-261	INMATE MEALS		5,697.86	
								*** VENDOR	248 TOTAL	22,806.46
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-01-302	BOCC/LEGAL POSTAGE		7.95	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-02-302	CLERK,HR,ELECTION,CTHSE GEN PO		15.38	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-03-302	CO TREASURER POSTAGE		49.96	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-04-302	REG OF DEEDS POSTAGE		33.93	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-05-302	EMS POSTAGE		304.23	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-06-302	PLANNING/ZONING POSTAGE		45.05	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-07-302	SHERIFF POSTAGE		338.99	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-09-302	BOCC/LEGAL POSTAGE		2.65	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-11-302	CO ATTORNEY POSTAGE		605.44	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-14-302	CLERK,HR,ELECTION,CTHSE GEN PO		18.26	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-19-302	DIST CT POSTAGE		2,080.27	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-28-302	CLERK,HR,ELECTION,CTHSE GEN PO		116.67	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-41-302	APPRAISER		61.67	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-49-302	CLERK,HR,ELECTION,CTHSE GEN PO		119.54	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-001-5-53-301	NOX WEED POSTAGE		9.31	
								*** VENDOR	575 TOTAL	3,809.30
2144	VAN TUYL JOELLEN	JOELLEN M VAN TUYL	325529	96715 AP	01/28/2022	2-001-5-11-255	TRANSCRIPTS		705.50	
479	WERRING	FARRIS,FRESH,& WERRING LAW OFF	325531	96717 AP	01/28/2022	2-001-5-09-231	COURT APPOINTED ATTORNEY VOUCH		208.00	
100	WITNESS LIST									

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#									
100	WITNESS LIST											
										*** VENDOR	100 TOTAL	705.44
										TOTAL FUND 001		118,810.89

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-280	HEALTH DEPT CARD - BALANCE OF		764.88-		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-280	HEALTH DEPT CARD - BALANCE OF		486.16		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-280	HEALTH DEPT CARD - BALANCE OF		31.80		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.88		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.88		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.87		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.88		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		297.79		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.87		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-301	HEALTH DEPT CARD - BALANCE OF		13.87		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-601	HEALTH DEPT CARD - BALANCE OF		13.87		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-606	HEALTH DEPT CARD - BALANCE OF		254.96-		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-606	HEALTH DEPT CARD - BALANCE OF		162.05		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-606	HEALTH DEPT CARD - BALANCE OF		19.42		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-610	HEALTH DEPT CARD - BALANCE OF		112.48		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-108-5-00-610	HEALTH DEPT CARD - BALANCE OF		51.44		
										*** VENDOR	648 TOTAL	238.42
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO		325463	96670 AP	01/26/2022	2-108-5-00-302	HEALTH DEPT POSTAGE		150.92		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO		325463	96670 AP	01/26/2022	2-108-5-00-601	HEALTH DEPT POSTAGE		6.36		
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO		325463	96670 AP	01/26/2022	2-108-5-00-606	HEALTH DEPT POSTAGE		128.26		
										*** VENDOR	575 TOTAL	285.54
										TOTAL FUND 108		523.96

24545	CDW GOVERN	CDW GOVERNMENT INC		325487	96673 AP	01/27/2022	2-115-5-00-409	3773122 MS OFFICE SOFTWARE, WO		1,219.96		
24545	CDW GOVERN	CDW GOVERNMENT INC		325487	96673 AP	01/27/2022	2-115-5-00-409	3773122 MS OFFICE SOFTWARE, WO		1,219.96		
24545	CDW GOVERN	CDW GOVERNMENT INC		325487	96673 AP	01/27/2022	2-115-5-00-409	3773122 MS OFFICE SOFTWARE, WO		4,368.20		
										*** VENDOR	24545 TOTAL	6,808.12
523	JARBALO JU	KENNETH W SHOEMAKER		325515	96701 AP	01/28/2022	2-115-5-00-408	LVSO UNIT 142 REPAIRS		13,253.21		
554	VERMEER	VERMEER GREAT PLAINS INC		325530	96716 AP	01/28/2022	2-115-5-00-423	LEAVE004:2022 BC1500 WOOD CHIP		70,469.00		
										TOTAL FUND 115		90,530.33

12240	MODUS	INTECH SOFTWARE SOLUTIONS, INC		325525	96711 AP	01/28/2022	2-117-5-00-303	2022 SUBSCRIPTION LEAV COUNTY		6,965.00		
										TOTAL FUND 117		6,965.00

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-119-5-00-253	ROD:POSTAGE,PRIA CDT-NOT YET CHARGED		83.75-		
										TOTAL FUND 119		83.75

24553	ATCHISON	ATCHISON CO COMMUNITY CORRECTI		325502	96688 AP	01/28/2022	2-121-5-00-2	3RD QUARTER STATE DISTRIBUTION		33,130.52		
24553	ATCHISON	ATCHISON CO COMMUNITY CORRECTI		325502	96688 AP	01/28/2022	2-121-5-00-2	3RD QUARTER STATE DISTRIBUTION		125.00		
										*** VENDOR	24553 TOTAL	33,255.52

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#					TOTAL FUND 121	33,255.52
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-126-5-00-224	COMMUNITY CORRECTIONS ADULT/JU	999.82	
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-126-5-00-321	ACCT 52 BUSINESS CARDS (COMM C	62.00	
								*** VENDOR 20588 TOTAL	1,061.82
7098	QUILL CORP	QUILL CORP	325489	96675 AP	01/27/2022	2-126-5-00-321	5645204 OFFICE SUPPLIES	30.23	
7098	QUILL CORP	QUILL CORP	325489	96675 AP	01/27/2022	2-126-5-00-321	5645204 OFFICE SUPPLIES	47.56	
								*** VENDOR 7098 TOTAL	77.79
113	SUMNERONE INC	SUMNERONE INC	325490	96676 AP	01/27/2022	2-126-5-00-225	COPIES (2 ACCTS)	64.87	
								TOTAL FUND 126	1,204.48
5637	CLEARWATER ENTERPRIS	CLEARWATER ENTERPRISES, LLC	325452	96657 AP	01/26/2022	2-133-5-00-304	1-28 20642-5600012112 GAS FOR	667.36	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-201	1-5 PW/NOLL, BALANCE OF JAN ST	209.88	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-209	1-5 PW/NOLL, BALANCE OF JAN ST	250.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-301	1-5 PW/NOLL, BALANCE OF JAN ST	307.09	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-301	1-5 PW/NOLL, BALANCE OF JAN ST	19.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-309	1-9 BAL OF JAN STMT AREVELO,NE	3,213.38	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-311	1-9 BAL OF JAN STMT AREVELO,NE	170.19	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-312	1-9 BAL OF JAN STMT AREVELO,NE	269.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-327	1-5 PW/NOLL, BALANCE OF JAN ST	60.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-360	1-9 BAL OF JAN STMT AREVELO,NE	323.82	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-360	1-9 BAL OF JAN STMT AREVELO,NE	42.73	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-360	1-9 BAL OF JAN STMT AREVELO,NE	99.60	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-364	1-9 BAL OF JAN STMT AREVELO,NE	101.58	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-133-5-00-365	1-9 BAL OF JAN STMT AREVELO,NE	478.00	
								*** VENDOR 648 TOTAL	5,546.22
8408	KANSAS STA	KANSAS STATE HISTORICAL SOCIET	325519	96705 AP	01/28/2022	2-133-5-00-327	1-30 69 SURVEY REFERENCE REPOR	276.00	
196	OLSSON	OLSSON, INC	325460	96667 AP	01/26/2022	2-133-5-00-213	1-29 PROJ 019-28310 PROF SERVI	2,534.25	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-133-5-00-301	1-24 PUBLIC WORKS POSTAGE	69.20	
								TOTAL FUND 133	9,093.03
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-136-5-00-203	COMMUNITY CORRECTIONS ADULT/JU	249.95	
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-136-5-00-223	COMMUNITY CORRECTIONS ADULT/JU	249.96	
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-136-5-00-235	COMMUNITY CORRECTIONS ADULT/JU	499.90	
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-136-5-00-301	ACCT 52 BUSINESS CARDS (COMM C	31.00	
20588	ADVANTAGE	ADVANTAGE PRINTING	325485	96671 AP	01/27/2022	2-136-5-00-321	ACCT 52 BUSINESS CARDS (COMM C	31.00	
								*** VENDOR 20588 TOTAL	1,061.81
7098	QUILL CORP	QUILL CORP	325489	96675 AP	01/27/2022	2-136-5-00-301	5645204 OFFICE SUPPLIES	15.12	
7098	QUILL CORP	QUILL CORP	325489	96675 AP	01/27/2022	2-136-5-00-321	5645204 OFFICE SUPPLIES	15.12	
								*** VENDOR 7098 TOTAL	30.24
113	SUMNERONE INC	SUMNERONE INC	325490	96676 AP	01/27/2022	2-136-5-00-203	COPIES (2 ACCTS)	32.43	
113	SUMNERONE INC	SUMNERONE INC	325490	96676 AP	01/27/2022	2-136-5-00-223	COPIES (2 ACCTS)	32.44	
113	SUMNERONE INC	SUMNERONE INC	325490	96676 AP	01/27/2022	2-136-5-00-233	COPIES (2 ACCTS)	2.60	
								*** VENDOR 113 TOTAL	67.47
								TOTAL FUND 136	1,159.52
7098	QUILL CORP	QUILL CORP	325489	96675 AP	01/27/2022	2-138-5-00-301	5645204 OFFICE SUPPLIES	53.06	
								TOTAL FUND 138	53.06
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-144-5-00-2	COA, PALS, MEMORIAL	180.85	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-144-5-00-2	COA, PALS, MEMORIAL	37.25-	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-144-5-00-2	COA, PALS, MEMORIAL	50.10	

WARRANT REGISTER - BY FUND / VENDOR

START DATE: 01/22/2022 END DATE: 01/28/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-144-5-00-2	COA, PALS, MEMORIAL		133.70	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-144-5-00-3	COA, PALS, MEMORIAL		158.76	
							*** VENDOR	648 TOTAL		486.16
							TOTAL FUND 144			486.16
20588	ADVANTAGE	ADVANTAGE PRINTING	325451	96656 AP	01/26/2022	2-145-5-00-303	CO ON AGING ACCT 104 LETTERHEA		232.50	
20588	ADVANTAGE	ADVANTAGE PRINTING	325451	96656 AP	01/26/2022	2-145-5-00-303	CO ON AGING ACCT 104 LETTERHEA		160.00	
							*** VENDOR	20588 TOTAL		392.50
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-208	COA, PALS, MEMORIAL		146.85	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-254	COA, PALS, MEMORIAL		60.94	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-255	COA, PALS, MEMORIAL		13.50	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-303	COA, PALS, MEMORIAL		124.52	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-750	COA, PALS, MEMORIAL		170.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-145-5-00-750	COA, PALS, MEMORIAL		15.84	
							*** VENDOR	648 TOTAL		531.65
86	EVERGY	EVERGY KANSAS CENTRAL INC	325454	96661 AP	01/26/2022	2-145-5-00-246	ELEC SVC COUNCIL ON AGING		967.93	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-00-345	CO ON AGING C1&C2 PACKAGING/SI		96.33	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-00-345	CO ON AGING C1&C2 PACKAGING/SI		298.26	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-05-301	CO ON AGING C1&C2 PACKAGING/SI		51.27	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-06-301	CO ON AGING C1&C2 PACKAGING/SI		33.61	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-06-321	CO ON AGING C1&C2 PACKAGING/SI		50.41	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-07-302	CO ON AGING C1&C2 PACKAGING/SI		7.77	
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	325457	96664 AP	01/26/2022	2-145-5-07-321	CO ON AGING C1&C2 PACKAGING/SI		37.81	
							*** VENDOR	4755 TOTAL		575.46
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-145-5-00-302	CO ON AGING POSTAGE		184.48	
							TOTAL FUND 145			2,652.02
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-146-5-00-301	TREASURER: MICROFRAME, AMAZON L		84.38	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-146-5-00-301	TREASURER: MICROFRAME, AMAZON L		26.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-146-5-00-301	TREASURER: MICROFRAME, AMAZON L		200.33-	
							*** VENDOR	648 TOTAL		88.96
25081	SHRED-IT	SHRED-IT USA DBA SHRED-IT KANS	325528	96714 AP	01/28/2022	2-146-5-00-218	1000223177 PAPER SHREDDING@ANN		205.90	
25081	SHRED-IT	SHRED-IT USA DBA SHRED-IT KANS	325528	96714 AP	01/28/2022	2-146-5-00-218	1000223177 PAPER SHREDDING@ANN		119.44-	
							*** VENDOR	25081 TOTAL		86.46
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-146-5-00-302	CO TREAS SPECIAL (MOTOR VEHICL		844.65	
							TOTAL FUND 146			842.15
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-147-5-00-3	COA, PALS, MEMORIAL		171.00	
							TOTAL FUND 147			171.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-153-5-00-3	1-3 MILLER BOBCAT 260 PORTABLE		6,309.00	
							TOTAL FUND 153			6,309.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-160-5-00-203	TRANSFER STATION: MEMBERSHIP, OF		150.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-160-5-00-212	TRANSFER STATION: JIM, MISC, EQUI		363.61	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-160-5-00-213	TRANSFER STATION: JIM, MISC, EQUI		468.39	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-160-5-00-301	TRANSFER STATION: MEMBERSHIP, OF		474.22	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-160-5-00-305	TRANSFER STATION: JIM, MISC, EQUI		129.99	
							*** VENDOR	648 TOTAL		1,586.21
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	325463	96670 AP	01/26/2022	2-160-5-00-201	TRANSFER STATION POSTAGE		34.12	
2007	WIRENUTS	WIRENUTS	325532	96718 AP	01/28/2022	2-160-5-00-402	TRANSFER STATION - CAMERAS, CA		2,313.00	
2007	WIRENUTS	WIRENUTS	325532	96718 AP	01/28/2022	2-160-5-00-402	TRANSFER STATION - CAMERAS, CA		2,999.00	

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
2007	WIRENUTS	WIRENUTS	325532	96718 AP	01/28/2022	2-160-5-00-402	TRANSFER STATION - CAMERAS, CA	1,820.00		
							*** VENDOR	2007 TOTAL		7,132.00
							TOTAL FUND 160			8,752.33
2649	KANSAS STATE TREASUR	OFFICE OF THE STATE TREASURER	325466	1617 AP	01/26/2022	2-171-5-00-401	2022-A LEAV CO 6.815MM BOND RE	300.00		
2649	KANSAS STATE TREASUR	OFFICE OF THE STATE TREASURER	325466	1617 AP	01/26/2022	2-171-5-00-401	2022-A LEAV CO 6.815MM BOND RE	3,750.00		
2649	KANSAS STATE TREASUR	OFFICE OF THE STATE TREASURER	325466	1617 AP	01/26/2022	2-171-5-00-401	2022-A LEAV CO 6.815MM BOND RE	30.00		
							*** VENDOR	2649 TOTAL		4,080.00
196	OLSSON	OLSSON, INC	325437	1616 AP	01/25/2022	2-171-5-05-201	019-28310 PROFESSIONAL SERVICE	2,636.25		
							TOTAL FUND 171			6,716.25
396	ACI BOLAND INC	ACI BOLAND INC	325479	10100 AP	01/27/2022	2-172-5-00-107	ARPA024 3-21113.01 CRISIS STAB	16,762.50		
398	NETSTANDARD INC	NETSTANDARD INC	325480	10101 AP	01/27/2022	2-172-5-00-107	ARPA025 VITAL SERVICES	3,350.00		
196	OLSSON	OLSSON, INC	325481	10102 AP	01/27/2022	2-172-5-00-107	ARPA026 A19-28310 FIBER OPTIC	11,872.00		
534	SANDS CONSTRUCTION	SANDS CONSTRUCTION LLC	325482	10103 AP	01/27/2022	2-172-5-00-107	ARPA027 CO ON AGING/CUSHING	191,879.00		
							TOTAL FUND 172			223,863.50
1737	AT&T-CAROL STREAM IL	AT&T	325486	96672 AP	01/27/2022	2-174-5-00-210	913A38-0682-421-2 4 TOWERS	89.25		
1737	AT&T-CAROL STREAM IL	AT&T	325486	96672 AP	01/27/2022	2-174-5-00-210	913A38-0682-421-2 4 TOWERS	89.25		
1737	AT&T-CAROL STREAM IL	AT&T	325486	96672 AP	01/27/2022	2-174-5-00-210	913A38-0682-421-2 4 TOWERS	85.30		
1737	AT&T-CAROL STREAM IL	AT&T	325486	96672 AP	01/27/2022	2-174-5-00-210	913A38-0682-421-2 4 TOWERS	166.64		
1737	AT&T-CAROL STREAM IL	AT&T	325486	96672 AP	01/27/2022	2-174-5-00-210	913A38-0682-421-2 4 TOWERS	17.51-		
							*** VENDOR	1737 TOTAL		412.93
6636	KANSAS GAS	KANSAS GAS SERVICE	325455	96662 AP	01/26/2022	2-174-5-00-210	510614745-2007004-82 GAS SERVI	60.78		
6636	KANSAS GAS	KANSAS GAS SERVICE	325455	96662 AP	01/26/2022	2-174-5-00-210	510614745-2007004-82 GAS SERVI	62.56		
							*** VENDOR	6636 TOTAL		123.34
105	MIDWEST M	MIDWEST MOBILE RADIO SERVICE	325524	96710 AP	01/28/2022	2-174-5-00-261	R1295:911 JUSTICE CENTER POWER	375.00		
6148	SHERIFF	LEAV CO SHERIFF DEPT	325527	96713 AP	01/28/2022	2-174-5-00-210	REIM COMPUTER FOR 911 DISPATCH	899.00		
							TOTAL FUND 174			1,810.27
472	KANSAS DEPT OF AGRIC	KANSAS DEPT OF AGRICULTURE DIV	325518	96704 AP	01/28/2022	2-182-5-00-2	1-3 BRIDGE E-18 APPLICATION FO	500.00		
							TOTAL FUND 182			500.00
26400	KANSAS GAS	KANSAS GAS SERVICE	325456	96663 AP	01/26/2022	2-195-5-00-290	510614745 1628631 73 GAS TRANS	112.78		
							TOTAL FUND 195			112.78
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	325453	96660 AP	01/26/2022	2-212-5-00-3	DISTILLED WATER - SD#2	1.00		
							TOTAL FUND 212			1.00
26521	BRUNSON BU	BRUNSON BUILDERS INC	325505	96691 AP	01/28/2022	2-215-5-03-260	TRANSFER STATION:STEEL BUILDIN	71,277.00		
							TOTAL FUND 215			71,277.00
268	LIFELOCK	NORTONLIFELOCK INC	325459	96666 AP	01/26/2022	2-510-2-00-941	1247233 JANUARY PREMIUMS	1,614.96		
1485	RELIANCE STANDARD	RELIANCE STANDARD	325461	96668 AP	01/26/2022	2-510-2-00-962	JANUARY GROUP LIFE AND VOLUNTA	1,521.24		
1485	RELIANCE STANDARD	RELIANCE STANDARD	325461	96668 AP	01/26/2022	2-510-2-00-965	JANUARY GROUP LIFE AND VOLUNTA	2,861.06		
1485	RELIANCE STANDARD	RELIANCE STANDARD	325461	96668 AP	01/26/2022	2-510-2-00-965	JANUARY GROUP LIFE AND VOLUNTA	5.44-		
							*** VENDOR	1485 TOTAL		4,376.86
							TOTAL FUND 510			5,991.82
							TOTAL ALL CHECKS			590,997.32

TYPES OF CHECKS SELECTED: * ALL TYPES

FUND SUMMARY

001	GENERAL	118,810.89
108	COUNTY HEALTH	523.96
115	EQUIPMENT RESERVE	90,530.33
117	CO CLERK TECHNOLOGY	6,965.00
119	ROD TECHNOLOGY	83.75-
121	JUVENILE JUSTICE AUTHORITY	33,255.52
126	COMM CORR ADULT	1,204.48
133	ROAD & BRIDGE	9,093.03
136	COMM CORR JUVENILE	1,159.52
138	JUV INTAKE & ASSESSMENT	53.06
144	PALS (PETS AND LOVING SENIORS	486.16
145	COUNCIL ON AGING	2,652.02
146	COUNTY TREASURER SPECIAL	842.15
147	MEMORIALS (COA)	171.00
153	PUBLIC WORKS,EQUIP.RESERVE FUND	6,309.00
160	SOLID WASTE MANAGEMENT	8,752.33
171	S TAX CAP RD PROJ: 2015 SERIES	6,716.25
172	AMERICAN RECOVERY PLAN	223,863.50
174	911	1,810.27
182	EASTON TWP TRAFFIC IMPACT	500.00
195	JUVENILE DETENTION	112.78
212	SEWER DISTRICT 2: TIMBERLAKES	1.00
215	CAPITAL IMPROVEMENTS	71,277.00
510	PAYROLL CLEARING	5,991.82
	TOTAL ALL FUNDS	590,997.32

Consent Agenda 2/2/22
Checks dated 1/22 - 1/28

CONTRACT BETWEEN
COUNTY OF LEAVENWORTH, KANSAS AND CONTRACTOR

THIS AGREEMENT, is made and entered into this _____ day of _____, 20____ by and between the County of Leavenworth, Kansas, hereinafter called the COUNTY, and LINAWEAVER CONSTRUCTION, INC. hereinafter called the CONTRACTOR.

WITNESSETH, that the County and Contractor in consideration of the mutual covenants hereinafter set forth, agree as follows:

Article 1. WORK. The Contractor will perform all Work as shown in the Documents for the completion of the Project generally described as follows:

Public Street and Storm Improvements for County Route 2 (158th Street)

Article 2. JURISDICTION. This agreement is entered into, under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Kansas. Should any provision of this Agreement or the other Contract Documents be determined to be void, invalid, unenforceable or illegal for whatever reason, such provisions(s) shall be null and void; provided, however, that the remaining provisions of this Agreement and/or the other Contract Documents shall be unaffected thereby and shall continue to be valid and enforceable.

Article 3. CONTRACT TIME. Contractor shall commence work upon the date stated in the Notice to Proceed and will complete all work covered by this Contract within two hundred thirty (230) Calendar Days of Notice to Proceed date. Time is of the essence. Accordingly Liquidated Damages shall be assessed against Contractor as stipulated liquidated damages and not as a penalty, in an amount as set forth in the Supplementary Conditions for each and every calendar day the work remains incomplete over the specified completion time.

Article 4. CONTRACT PRICE. The County will pay the Contractor for performance of the Work and completion of the Project in accordance with the Contract Documents, and the Contractor will accept in full compensation therefore, the sum of TWO MILLION NINE HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED FIVE DOLLARS AND FIFTY CENTS DOLLARS (\$ 2,995,505.50) (subject to adjustment as provided by the Contract Documents) for all work covered by and included in the Contract award and designated in the Contract Documents. Payment thereof to be made in cash or its equivalent and in the manner provided in the Contract Documents.

Article 5. PROGRESS AND FINAL PAYMENT. The County will make progress payments on account of the Contract Price as provided in the General Conditions as follows:

- 5.1 Progress and final payments will be on the basis of the Contractor's Applications for Payment as approved by the County.
- 5.2 On or about the 15th day of each month during construction Ninety (90)% of the Work completed, and Ninety (90)% of material and equipment not incorporated in the Work but delivered and suitably stored, less in each case the aggregate of payments previously made.

Article 6. SCHEDULE LIQUIDATED DAMAGES

- 6.1 The parties agree that it would be difficult to determine the amount of damages that would be suffered due to a Contractor delay, but that the Liquidated Damages in the amount \$1,000 per Calendar Day are a fair and reasonable amount for each Day beyond the Completion Date, and that these Liquidated Damages do not constitute a penalty.
- 6.2 All schedule Liquidated Damages for which Contractor becomes liable pursuant to Section 6.1 may be offset by the County against amounts due under this Agreements, and if such amounts are not sufficient to pay the Liquidated Damages then due, such amounts will be payable to the County submits to Contractor an invoice therefore. Amounts paid late will accrue interest at a rate equal to two percent above the prime rate as set from time to time by Commerce Bank of Kansas City, N.A.

Article 7. CONTRACTOR'S REPRESENTATIONS. In order to induce the COUNTY to enter into this Agreement CONTRACTOR makes the following representations:

- 7.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the work.
- 7.2 CONTRACTOR has studied carefully all reports of explorations and tests of subsurface conditions and drawings of physical conditions which are identified in the Supplementary Conditions as provided in the General Conditions, and accepts the determination set forth in the Supplementary Conditions of the extent of the technical data contained in such reports and drawings upon which CONTRACTOR is entitled to reply.
- 7.3 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing underground facilities at or contiguous to the site and assumes responsibility of the accurate location of said underground facilities. No additional examinations, investigations, exploration, tests, reports, studies or similar information or data in respect of said underground facilities are or will be required by CONTRACTOR in order to perform and furnish the work at

the contract price, within the contract time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of the General Conditions.

7.4 CONTRACTOR has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.

7.5 CONTRACTOR has given the COUNTY written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by COUNTY is acceptable to CONTRACTOR.

Article 8. CONTRACT DOCUMENTS. The Contract Documents which comprise the entire agreement between COUNTY and CONTRACTOR concerning the Work consist of the Following:

8.1 This Agreement (pages 1 to 4, inclusive).

8.2 Exhibits to this Agreement consist of Documents listed in Index to the Project Manual and identified herein.

8.3 Performance, Maintenance and Bid Bonds.

8.4 Notice of Award.

8.5 General Conditions.

8.6 Plans & Specifications

8.7 Addenda number 1-4.

8.8 CONTRACTOR'S Bid consisting of pages BF-1 to BF-6, inclusive.

There are no Contract Documents other than those listed above in this Article 8. The Contract Documents may only be amended, modified or supplemented as provided in the General Conditions.

Article 9. MISCELLANEOUS

9.1 Terms used in this Agreement which are defined in the General Conditions will have the meanings indicated in the General Conditions.

9.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

9.3 COUNTY and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.

IN WITNESS WHEREOF, COUNTY and CONTRACTOR have signed this Agreement in triplicate.

CONTRACTOR



Principal

1-20-2022
Date

VICE PRESIDENT

Title



Attest

COUNTY OF LEAVENWORTH, KANSAS

County Commission Chairman

Date

*****CONSENT AGENDA*****

**LEAVENWORTH COUNTY
PUBLIC WORKS DEPARTMENT**

**AGREEMENT FOR
ENGINEERING SERVICES**

THIS AGREEMENT, is between the Board of County Commissioners, Leavenworth County, Kansas (Owner) and Finney & Turnipseed, Transportation & Civil Engineering, L.L.C. (Engineer);

WITNESSETH:

WHEREAS, the Owner wishes to employ the Engineer to perform professional engineering services for the replacement of the Fairmount Road over Little Stranger Creek /Bridge ST-100. These services include providing engineering design services, geological investigation services, bidding plans, cost estimates, right-of-way plans and documents and utility plans and coordination for the replacement of the Fairmount Road over Little Stranger Creek /Bridge ST-100 (the Project); and,

WHEREAS, the Owner requires certain engineering services in connection with the Project (the Services); and,

WHEREAS, the Engineer is prepared to provide the Services;

NOW THEREFORE, in consideration of the promises contained in this Agreement, the Owner and Engineer agree to the following:

ARTICLE 1 - EFFECTIVE DATE

The effective date of this Agreement shall be _____

ARTICLE 2 - GOVERNING LAW

This Agreement shall be governed by the laws of the State of Kansas and the codes of Leavenworth County, Kansas.

ARTICLE 3 - SERVICES TO BE PERFORMED BY ENGINEER

Engineer shall perform the Services described in Attachment A, Scope of Services, in accordance with applicable sections of the Leavenworth County Standard Road Construction and Storm Water Drainage Standards, AASHTO Design Specifications, the Kansas Department of Transportation, Bureau of Local Projects Road and Bridge Design Criteria and Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, latest editions.

ARTICLE 4 - COMPENSATION

Owner shall pay Engineer in accordance with the Attachment B, Compensation.

ARTICLE 5 – OWNER’S RESPONSIBILITIES

Owner shall be responsible for all matters described in Attachment C, Owner's Responsibilities.

ARTICLE 6 - SUPPLEMENTAL AGREEMENTS

The provisions set forth in Attachment D, Supplemental Agreements shall be incorporated into this Agreement

ARTICLE 7 - PROJECT SCHEDULE

The provisions set forth in the Attachment E, Project Schedule shall be incorporated into this Agreement.

ARTICLE 8 - STANDARD OF CARE

Engineer shall exercise the same degree of care, skill, and diligence in the performance of Services as is ordinarily possessed and exercised by a professional engineer under similar circumstances.

ARTICLE 9 - INDEMNIFICATION AND INSURANCE

Engineer hereby agrees to indemnify and hold harmless Owner and any of its departments, divisions, agencies, officers, and employees and elected officials from all loss, damage, cost, or expenses specifically including attorneys’ fees and other expenses of litigation incurred by or on behalf of the Owner and any or its officers, employees or elected officials arising out of Engineer's negligent performance of Services under this Agreement.

Engineer specifically agrees that this duty to indemnify and hold harmless will apply to the following:

- a. Claims, suits, or action of every kind and description when such suits or actions arise from the alleged negligent acts, errors, or omissions of the Engineer, its employees, agents, or subcontractors.
- b. Injury or damages received or sustained by any party because of the negligent acts, errors, or omissions of the Engineer, its employees, agents, or subcontractors.

Engineer shall purchase and maintain during the life of this Agreement, insurance coverage which will satisfactorily insure him against claims and liabilities which arise because of the execution of this Agreement.

The insurance coverages are as follows:

- (1) Commercial General Liability Insurance, with a limit of \$1,000,000 for each occurrence and \$2,000,000 in the general aggregate.
- (2) Automobile Liability Insurance, with a limit of \$1,000,000 for each accident, combined single limit for bodily injury and property damage.
- (3) Worker's Compensation Insurance and Employer's Liability Insurance, in accordance with statutory requirements, with a limit of \$500,000 for each accident.
- (4) Professional Liability Insurance, with a limit of \$1,000,000 for each claim and aggregate.

Prior to issuance of the Notice to Proceed by Owner, Engineer shall have on file with Owner certificates of insurance acceptable to Owner. Said certificates of insurance shall be filed with Owner in January of each year or may be submitted with each agreement.

Engineer shall also maintain valuable papers insurance to assure the restoration of any plans, drawings, field notes or other similar data relating to the work covered by this agreement, in the event of their loss or destruction, until such time as the work has been delivered to the Owner.

Upon completion of all Services, obligations, and duties provided for in this Agreement, or if this Agreement is terminated for any reason, the terms and conditions of this Article shall survive.

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY

Engineer shall not be responsible for: (1) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the Project, (2) the failure of any contractor, subcontractor, vendor, or other Project participant, not under contract to Engineer, to fulfill contractual responsibilities to the Owner or to comply with federal, state or local laws, regulations, and codes; or (3) procuring permits, certificates, and licenses required for any construction unless such responsibilities are specifically assigned to Engineer in Attachment A, Scope of Services.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE

Since Engineer has no control over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet Project construction schedules, Engineer's opinion of probable construction costs and of construction schedules shall be made on the basis of experience and qualifications as a professional engineer. Engineer does not guarantee that proposals, bids, or actual Project construction costs will not vary from Engineer's cost estimates or that actual construction schedules will not vary from Engineer's projected schedules.

ARTICLE 12 - REUSE OF DOCUMENTS

All documents, including, but not limited to, drawings, specifications, and computer software prepared by Engineer pursuant to the Agreement are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by Owner or others on extensions of the Project or on any other project. Any reuse without prior written verification or adaptation by Engineer for the specific purpose intended will be at Owner's sole risk and without liability or legal exposure to Engineer. Any verification or adaptation requested by Owner shall entitle Engineer to compensation at rates to be agreed upon by Owner and Engineer.

ARTICLE 13 - OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Except as otherwise provided herein, engineering documents, drawings, and specifications prepared by Engineer as part of the Services shall become the sole property of Owner, however, that both Owner and Engineer shall have the unrestricted right to their use. Engineer shall retain its rights in its standard drawing details, specifications, data bases, computer software, and other proprietary property protected under the copyright laws of the United States. Rights to intellectual property developed, utilized, or modified in the performance of services shall remain the

property of Engineer. Owner shall have the unlimited right to the use of intellectual property developed, utilized, or modified in the performance of the Services at no additional cost to the Owner.

ARTICLE 14 - TERMINATION

This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. The nonperforming party shall have fifteen calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party. Owner may terminate or suspend performance of this Agreement for Owner's convenience upon written notice to Engineer. Engineer shall terminate or suspend performance of the Services on a schedule acceptable to Owner. If termination or suspension is for Owner's convenience, Owner shall pay Engineer for all Services performed prior to the date of the termination notice. Upon restart, an adjustment acceptable to Owner and Engineer shall be made to Engineer's compensation.

ARTICLE 15 - DELAY IN PERFORMANCE

Neither Owner nor Engineer shall be considered in default of the Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonconforming party. For purposes of this Agreement, such circumstances include abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, or other civil disturbances; sabotage, judicial restraint, and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either Owner or Engineer under this Agreement.

Should such circumstances occur, the nonconforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of the Agreement

In the event Engineer is delayed in the performance of Services because of delays caused by Owner, Engineer shall have no claim against Owner for damages or contract adjustment other than an extension of time.

ARTICLE 16 - COMMUNICATIONS

Any communication required by this Agreement shall be made in writing to the address specified below:

Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
610 SW 10th Street, Suite 200
Topeka, Kansas 66612-1674
(785) 235-2394

Owner: Board of County Commissioners
Leavenworth County Department of Public Works
300 Walnut Street, Suite 007
Leavenworth Ks, 66048-2815
(913) 684-0470

Nothing contained in the Article shall be construed to restrict the transmission of routine communications between representatives of Engineer and Owner.

ARTICLE 17 - WAIVER

A waiver by either Owner or Engineer of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 18 - SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

ARTICLE 19 - INTEGRATION

This Agreement represents the entire and integrated agreement between Owner and Engineer. All prior and contemporaneous communications, representations, and agreements by Engineer, whether oral or written, relating to the subject matter of this Agreement, as set forth in Attachment D, Supplemental Agreements are hereby incorporated into and shall become a part of this Agreement

ARTICLE 20 - SUCCESSORS AND ASSIGNS

Owner and Engineer each binds itself and its directors, officers, partners, successors, executors, administrators, assigns, and legal representatives to the other party of this Agreement and to the directors, officers, partners, successors, executors, administrators, assigns, and legal representatives of such other party in respect to all provisions of this Agreement.

ARTICLE 21 - ASSIGNMENT

Neither Owner nor Engineer shall assign any rights or duties under this Agreement without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Article shall prevent Engineer from employing independent consultants, associates, and subcontractors to assist in the performance of the Services; however, other agreements to the contrary notwithstanding, in the event Engineer employs independent consultants, associates, and subcontractors to assist in performance of the Services, Engineer shall be solely responsible for the negligent performance of the independent consultants, associates, and subcontractors so employed.

ARTICLE 22 - THIRD PARTY RIGHTS

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than Owner and Engineer.

ARTICLE 23 – RELATIONSHIP OF PARTIES

Nothing contained herein shall be construed to hold or to make the Owner a partner, joint venturer, or associate of Engineer, nor shall either party be deemed the agent of the other, it being expressly understood and agreed that the relationship between the parties hereto is and shall at all times remain contractual as provided by the terms and conditions of this Agreement.

IN WITNESS WHEREOF, Owner and Engineer have executed this Agreement.

THE BOARD OF COUNTY COMMISSIONERS
LEAVENWORTH COUNTY, KANSAS

Chairman

ATTEST:

Leavenworth County Clerk

Date

Finney & Turnipseed
Transportation & Civil Engineering, L.L.C.

By: 
Principal

**ATTACHMENT A
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: Board of County Commissioners, Leavenworth County, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Name: Fairmount Road over Little Stranger Creek /Bridge ST-100

SCOPE OF SERVICES

The project is specifically defined below:

Replacement of the Fairmount Road over Little Stranger Creek /Bridge ST-100

The Engineer agrees to provide the following engineering services.

BASIC SERVICES - DESIGN

1. Geotechnical Services:

- Subsurface explorations to determine existing soil properties and provide abutment and pier design recommendations to include four (4) geotechnical samples at proposed locations of abutments and piers as required by the KDOT Geotechnical manual.

2. Survey:

- Provide topographic survey for the limits of the project in accordance with KDOT standards.
- All existing ROW, Easement, and Property Owner information to be shown.
- Survey section corners to establish horizontal control.
- Provide legal descriptions for any additional Right of Way, Permanent Drainage Easements, and Temporary Construction Easements.
- Coordination with local utilities to show located information on the plans.
- Survey prepared to the State Minimum Standards.

3. Hydrology and hydraulics:

- Perform all hydrologic, hydraulic, and scour analyses required for the proposed improvements in accordance with the current edition of the Leavenworth County Road Construction and Storm Water Drainage Standards.
- Storm event discharge results for Little Stranger Creek must include the 20%, 4%, 2%, 1% and 0.2% annual exceedance probability events.
- Proposed improvements impacting the Little Stranger Creek Bridge and other stormwater structures must meet Leavenworth County level of service criteria.
- Develop a hydrologic and hydraulic report with supporting data that documents the analysis methodology/process, results, and proposed recommendations including a hydraulic assessment checklist.
- Develop and submit all necessary documentation for floodplain development permits, FEMA MT-2 procedures, or other required permits associated with Little Stranger Creek to the appropriate agencies.

4. Bridge Structure:

- Rural Collector Structure, 32' wide (24' pavement with 4' shoulders each side) plus barrier.
- HL-93 Loading
- Designed to KDOT and AASHTO Standard Specification for Highway Bridges.
- Structure sized to pass 50-year storm event, minimum.
- Designed to Kansas Department of Transportation specifications.
- Evaluate 3 structure types
- Select the most cost-effective structure with input from Leavenworth County.

5. Roadway/Bridge Approach:

- County Rural Collector, 32' roadway width (24' pavement with 4' shoulders each side), 55 MPH design speed, (50 MPH posted speed).
- Minimum of 150' each side of structure, tapered to match existing road, shoulders may be reduced to match structure, but grading should be performed to allow for future upgrades.
- Signing, striping, and safety improvements, as necessary.
- Guardrail design (MGS) including layout sheets.
- Traffic Control plans showing bridge closure and detour plan.

6. Erosion Control and Permanent Seeding:

- Provide Erosion control plan per phase of the project
- Provide applicable standard erosion control details and quantities
- Utilize KDOT standard quantity sheets for erosion control and permanent seeding

7. Permits:

- Consultant shall prepare all supporting documentation and prepare all forms for any required permits, including but not limited to the following -
 - Corps of Engineers 404 permit (Nationwide)
 - Wetland delineation and stream assessment report
 - DWR Permit
 - KDHE Permit (NOI)
 - SWPPP
 - KDWPT
 - KSHS
 - FEMA

8. Utility Coordination:

- Facilitate Utility Coordination meetings
- Coordinate with utility owners for relocation efforts
- Preconstruction site visits, as required, for utility relocation efforts
- Identify underground facilities that need potholed and coordinate this effort with utility companies. (pothole costs will be paid by the utilities or the county).

9. Deliverables:

- Plan and Profile sheets, cross sections, detail sheets (special, typical, and standard), construction quantities.
- Provide milestone submittals for KDOT Local Projects (Field Check, Office Check, Final), including engineering cost estimates at each submittal.
- Survey Sheet to be filed with the Leavenworth County Register of Deeds.
- Inventory inspection report and SI&A sheet submitted to KDOT BLP.
- Bridge load rating report

10. Construction Services:

- Preconstruction meeting
- Address RFIs from contractor as received
- Review Shop Drawings
- Plan revisions

11. To accept compensation for services described in 1 through 10, Basic Services - Design Phase in the amounts and at such periods of time as hereinafter setforth in Attachment B.

SUPPLEMENTAL SERVICES

Any work requested by the Owner that is not included in the Basic Services will be classified as Supplemental Services. Supplemental Services shall include, but are not limited to the following.

1. Changes in the general scope, extent, or character of the project or its design, including but not limited to changes in size, complexity, Owner's schedule, character of construction or method of financing; and revising previously accepted studies, reports, or design documents when such revisions are required by changes in laws, regulations, ordinances, codes, or orders enacted subsequent to the preparation of such studies/reports/documents or designs or due to any other causes beyond the Engineer's control.

**ATTACHMENT B
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: Board of County Commissioners, Leavenworth County, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Name: Fairmount Road over Little Stranger Creek /Bridge ST-100

COMPENSATION

For the services covered by this Agreement, the Owner agrees to pay the Engineer as follows:

- A. For the Basic Services – Design as described in Attachment A, a Lump Sum Fee in the amount of Sixty-Five Thousand Seven Hundred Dollars (\$65,700.00). Payments shall be made monthly in amounts which are consistent with the amount of engineering services provided, as determined by the Engineer.
- B. Compensation for Supplemental Services shall be made as defined below, when authorized in writing by the Owner. The maximum limit for each item of additional service shall be established individually and specifically agreed to by the Owner as stated below, unless the service is included in a subsequent agreement.

Hourly rates for each classification as defined by the Engineer's rate schedule. Hourly charge rates are subject to adjustment annually on January 1. Overtime, when authorized by the Owner, will be billed at 1.5 times the rates listed (non-engineer time only).

Reimbursable charges will be considered the amount of actual costs of expenses or charges, including such items as staking materials, equipment rental, equipment hourly charges, mileage, toll telephone calls, reproduction and similar project related expenses.

- C. The entire amount of each statement shall be due and payable upon receipt by the Owner.
- D. It is understood and agreed:
 - 1. That the Engineer shall start the performance of Services within 10 days of receipt of a notice to proceed and shall complete the work in accordance with the contract times set forth in Attachment E, Project Schedule.
 - 2. That the Engineer shall keep records on the basis of generally accepted accounting practice of costs and expenses which records shall be available for inspection at all reasonable times.

**ATTACHMENT C
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: Board of County Commissioners, Leavenworth County, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Name: Fairmount Road over Little Stranger Creek /Bridge ST-100

OWNER'S RESPONSIBILITIES

The Owner will furnish, as required by the work and not at the expense of the Engineer, the following items:

1. Make available to the Engineer all survey records, reports, maps, ownership data and other data pertinent to provision of the services required under this contract.
2. Examine all plans, specifications and other documents submitted by the Engineer and render decisions promptly to prevent delay to the Engineer.
3. Designate one Leavenworth County employee as the Owner representative with respect to all services to be rendered under this agreement. This individual shall have the authority to transmit instructions, receive information and to interpret and define the Owner's policies and decisions pertinent to the Engineer's services.
4. Issue notices to proceed to the Engineer for each phase of the design services.

**ATTACHMENT D
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: Board of County Commissioners, Leavenworth County, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Name: Fairmount Road over Little Stranger Creek /Bridge ST-100

SUPPLEMENTAL AGREEMENTS

Owner and Engineer agree that the following communications, representations, and agreements by Engineer, whether oral or written, relating to the subject matter of the Agreement are hereby incorporated into and shall become a part of the Agreement as set forth in ARTICLE 19 - INTEGRATION.

**ATTACHMENT E
TO
AGREEMENT FOR ENGINEERING SERVICES**

Owner: Board of County Commissioners, Leavenworth County, Kansas
Engineer: Finney & Turnipseed, Transportation & Civil Engineering, L.L.C.
Project Name: Fairmount Road over Little Stranger Creek /Bridge ST-100

PROJECT SCHEDULE

Owner and Engineer recognize that time is of the essence of the Agreement and that Owner will suffer financial loss if the work is not completed within the times stipulated herein, plus any extensions thereof. Accordingly, Engineer has established time intervals, in calendar days, for submittals at various stages of the project as detailed below. As each actual submittal date occurs, Engineer shall meet with Owner to discuss the progress of the work and the actual submittal date shall be documented. Engineer shall not be responsible for the time required by Owner's representative to review Engineer's submittal. When review is complete, Owner shall, in writing, authorize Engineer to proceed to the next submittal date.

Engineer will complete all plan development stages no later than the KDOT Project Schedule's due dates as issued by KDOT, exclusive of delays beyond the consultant's control.

Engineer will submit to the County (and to the Secretary of Transportation upon request) progress reports at monthly intervals in conformity within the official project schedule.

1. Schedule. Engineer will make plan submittals to Owner and the Kansas Department of Transportation, Bureau of Local Projects based on the KDOT project schedule and the following approximate delivery times:
 - a. Field Check - Engineer will submit field check drawings within 75 calendar days after Notice to Proceed by Owner.
 - b. Right-of-Way Drawings and Documents- Engineer will submit right-of-way drawings and documents (Legal Descriptions, Right-of-Way Plans and Public Improvement Document for acquiring Permanent Public Right-of-Way Easements, Temporary Construction Easements or any other required Easement Document) within 40 calendar days after the Notice to Resume Work is given by Owner following Field Check.
 - c. Office Check - Engineer will submit office check drawings and specifications within 150 calendar days after the Notice to Resume Work is given by Owner following Field Check.
 - d. Final Plans and Bid Documents - Engineer will submit bid documents within 20 calendar days after the Notice to Resume Work is given by Owner following Office Check.

**Leavenworth County
Request for Board Action
Resolution 2022-04
Rezoning from RR-5 to R-1(43)**

Date: February 2, 2022
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: Krystal Voth, Reviewed

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Approve Resolution 2022-04, a request to rezone tracts of land in the Southeast Quarter of Section 28, Township 9 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas from RR-5 to R-1(43).

Analysis: The applicant is requesting a rezoning to R-1(43) to match the lot size of the Highcrest West subdivision located immediately across Gilman Road. Highcrest West is part of Sewer District #1 and lot sizes range from 1 to 2 acres within the subdivision. The applicants request would allow for the property to be developed at the same density.

Planning Commission Recommendation: The Planning Commission voted 6-0 (3 absences) to recommend approval of Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43).

Alternatives:

1. Approve Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
2. Deny Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
4. Remand the case back to the Planning Commission.

Budgetary Impact:

- X 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

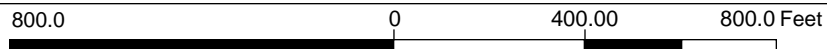
DEV-21-186 Rezoning - Herring



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad

1 in. = 400ft.



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

Notes

**Resolution 2022-04
Case No. DEV-21-186
Rezoning from RR-5 to R-1(43)**

Staff Report – Board of County Commissioners

February 2, 2022

GENERAL INFORMATION:

**Applicant/
Property Owner:** Joe Herring
16630 Gilman Road
Leavenworth, KS 66048

Legal Description: Tracts of land in the Southeast Quarter of Section 28, Township 9 South,
Range 22 East of the 6th P.M., in Leavenworth County, Kansas.

Location: 16630 Gilman Road and ± 2000' from the intersection of Gilman Road and 163rd
Street

Parcel Size: ± 11 acres

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

Comprehensive Plan: This parcel is within the Residential (3 units per acre) land use category.

Parcel ID No.: 108-28-0-00-00-012.02 & 108-28-0-00-00-012.03

Planner: Joshua Gentzler

REPORT:

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission voted 6-0 (3 absences) to recommend approval of Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43).

Request

The applicant is requesting to rezone parcels of land from RR-5 to R-1(43).

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 237 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0250G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Fire District 1
Water: RWD 8
Electric: Evergy

Access/Streets

The property is accessed by Gilman Road. This road is a County local road with a paved surface ± 24' wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, November 29, 2021
See attached comments – Memo – Lauren Anderson – Public Works, December 3, 2021
See attached comments – Email – Tyler Rebel – Evergy, November 23, 2021

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 mixed residential with suburban-style neighborhoods, developed with 1-acre lots immediately to the south, rural residences, and agricultural uses.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5 Rural Residential 5-acre minimum size parcels. The uses consist of residential and agricultural use. The Highcrest West subdivision is located to the south of the property across Gilman Road and is developed with 1-acre lots.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area that is suitable for residential development.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected by the proposed rezoning.
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 will allow for the development of multiple houses on this property.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Residential (3 units per acre).
8. Staff recommendation is for the approval of the rezoning request.

Staff Comments

The applicant is requesting a rezoning to R-1(43) to match the lot size of the Highcrest West subdivision located immediately across Gilman Road. Highcrest West is part of Sewer District #1 and lot sizes range from 1 to 2 acres within the subdivision. The applicants request would allow for the property to be developed at the same density.

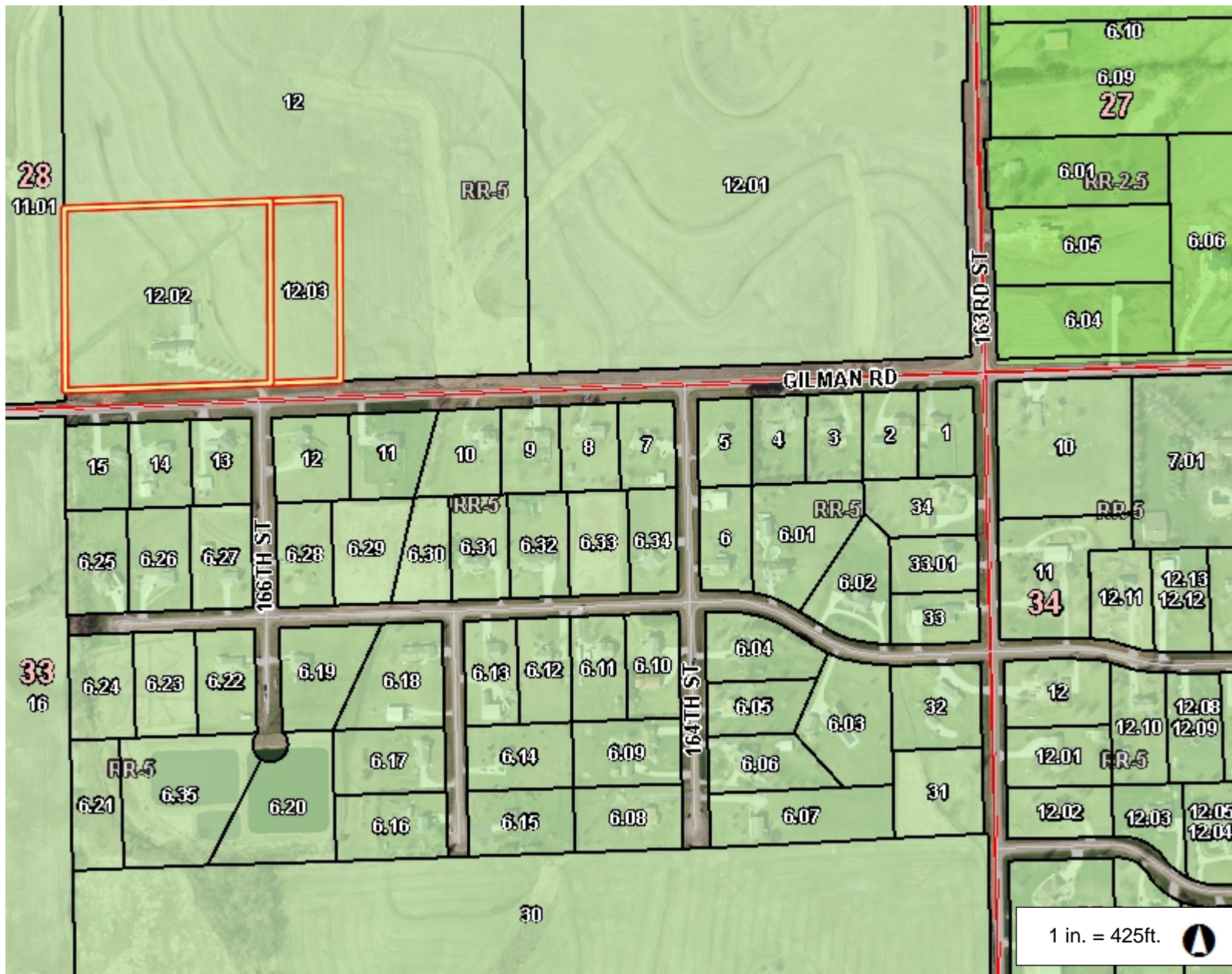
ACTION OPTIONS:

1. Approve Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
2. Deny Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2022-04 (Case No. DEV-21-186), Rezoning from RR-5 to R-1(43), to the Board of County Commission, with Findings of Fact, or
4. Remand the case back to the Planning Commission.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

DEV-21-186 Zoning



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD
- R-1

Notes

849.8 0 424.91 849.8 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

From: [Tyler Rebel](#)
Sent: Tuesday, November 23, 2021 8:05 AM
To: [Gentzler, Joshua](#)
Subject: RE: [EXTERNAL]DEV-21-186 Rezoning - 16630 Gilman Road

Internal Use Only

No comment, thanks

Tyler Rebel
Distribution Designer
Evergy
tyler.rebel@evergy.com
O: 913.758.2727
evergy.com

From: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Sent: Monday, November 22, 2021 4:11 PM
To: RWD 8 (RWD8LV@gmail.com) <RWD8LV@gmail.com>; Tyler Rebel <Tyler.rebel@evergy.com>; 'Mike Stackhouse' <firedistrict1@fd1lv.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: [EXTERNAL]DEV-21-186 Rezoning - 16630 Gilman Road

****WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!**

Good afternoon,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 16630 Gilman Road, Leavenworth, KS 66048. This is a continuation of the case that was originally submitted in November of 2020. The case has been on hold at the applicant's request.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, December 2nd.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [Anderson, Kyle](#)
Sent: Monday, November 29, 2021 12:38 PM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-186 Rezoning - 16630 Gilman Road

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

From: Gentzler, Joshua
Sent: Monday, November 22, 2021 4:11 PM
To: RWD 8 (RWD8LV@gmail.com) <RWD8LV@gmail.com>; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'Mike Stackhouse' <firedistrict1@fd1lv.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-186 Rezoning - 16630 Gilman Road

Good afternoon,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 16630 Gilman Road, Leavenworth, KS 66048. This is a continuation of the case that was originally submitted in November of 2020. The case has been on hold at the applicant's request.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, December 2nd.

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Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [Anderson, Lauren](#)
Sent: Friday, December 3, 2021 4:52 PM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-186 Rezoning - 16630 Gilman Road

Joshua,

From discussions with the applicant, they are requesting an R-1(43) which is 1 lot per acre, to match the development directly across Gilman Road. Future land use map zones this at 3 lots per acre which is a higher density than requested. Public Works does not have any additional comment on the request.

Lauren

From: Gentzler, Joshua
Sent: Friday, December 3, 2021 4:28 PM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: RE: DEV-21-186 Rezoning - 16630 Gilman Road

Did Public Works have any additional comments as a result from the specific R-1 zoning?

Joshua Gentzler
[Planning & Zoning](#)

From: Anderson, Lauren
Sent: Tuesday, November 23, 2021 10:47 AM
To: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>
Subject: RE: DEV-21-186 Rezoning - 16630 Gilman Road

Joshua,

I'm assuming the request is to an R-1(15) which equates to the 3 lots/acre as shown on the future land use map? The applicant does not specify which R-1 zoning they are requesting.

Lauren

From: Gentzler, Joshua
Sent: Monday, November 22, 2021 4:11 PM
To: RWD 8 (RWD8LV@gmail.com) <RWD8LV@gmail.com>; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'Mike Stackhouse' <firedistrict1@fd1lv.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-186 Rezoning - 16630 Gilman Road

Good afternoon,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 16630 Gilman Road, Leavenworth, KS 66048. This is a continuation of the case that

was originally submitted in November of 2020. The case has been on hold at the applicant's request.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, December 2nd.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

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

Office Use Only	
PID: _____	Date Received: _____
Township _____	
Planning Commission Date: _____	
Case No. _____	Date Paid _____
Zoning District _____	
Comprehensive Plan land use designation _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME _____
ADDRESS <u>16630 Gilman Road</u>	ADDRESS _____
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP _____
PHONE <u>913-651-3858</u>	PHONE _____
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL _____
CONTACT PERSON <u>Joe</u>	CONTACT PERSON _____

PROPOSED USE INFORMATION
Proposed Land Use <u>RR-1</u>
Reason for Requesting Rezoning <u>Reduce zoning on property to match property and development directly south of and adjacent to requested tract.</u>

PROPERTY INFORMATION
Address of Property <u>16630 Gilman Road - 00000 Gilman Road</u>
Parcel Size <u>PID 108-28...012.02 - 7.5 Acres - PID 108-28...12.03 - 2.5 Acres</u>
Current use of the property <u>AG and Rural Residential</u>
Present Improvements or structures <u>House and Barn</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 11/17/2020

Digitally signed by Joseph A. Herring
 DN: cn = Joseph A. Herring, c = US
 Date: 2020.11.17 06:47:30 -0500

ATTACHMENT A

Entered in the transfer record in my office this

12 day of Dec, 2017
Janet Klawnski
by County Clerk

(Space above reserved for Recorder of Deeds Certification)

McCaffree-Short Title

47-27978

TRUSTEE'S DEED

THIS DEED, Made and entered into this December 12, 2017, by and between

The Trust Company of Kansas, Trustees of the Charles M. Gable and Phyllis A. Gable Declaration of Trust dated December 18, 2002

of the County of Leavenworth, State of Kansas hereinafter called party of parties of the first part, (Grantor), and

Joseph A. Herring and Shannon R. Herring, husband and wife, joint tenants

Of the County of , State of Kansas, hereinafter called party of parties of the second part, (Grantee).

Grantee's Address: 00000 Gilman Rd, Leavenworth, KS 66048

WITNESSETH, that the said party or parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents BARGAIN AND SELL, CONVEY AND CONFIRM, unto the said party or parties of the second part, the following described Real Estate situated in the County of Leavenworth and State of Kansas to wit:

The East 200 feet of the South 550 feet of the West 800 of Section 28, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas. Together with and subject to covenants, easements and restrictions of record.

Subject to easements and restrictions of record, if any.

Grantor(s) represents that and warrants that he/she/they is/are the duly acting Trustee of the aforesaid Trust, that the time for the termination of said Trust has not occurred, that the Trust Indenture has not been amended or revoked, that said Trust is still in full force and effect, and that this Deed is executed pursuant to the powers conferred upon Grantor in the aforesaid Trust Indenture.

TO HAVE AND TO HOLD the same, together with all the rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns forever, subject however to real estate taxes for and thereafter.

Grantor(s) as Trustee(s) only and not individually, will all liability under this Deed with respect to covenants or warranties expressly limited to assets of the respective Trust Estate(s), hereby covenant that Grantors and the Successor Trustees under the Trust Indentures will warrant and defend the title to the above-described real estate unto Grantee(s) and Grantee's heirs and assigns forever, against the lawful claims of all persons claiming under Grantors(s).

IN WITNESS WHEREOF, the said party or parties of the first part has or have hereunto set their hand or hands the day and year first above written.

The Charles M. Gable and Phyllis A. Gable Declaration of Trust dated December 18, 2002

The Trust Company of Kansas, Trustee

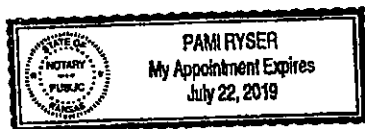
BY: *Michael S. Goldak*
Michael S. Goldak, Vice President

State of Kansas }
 } ss.
County of Leavenworth }

On this 12th of December, 2017, before me the undersigned, a Notary Public in and for said State, personally appeared Michael S. Goldak, Vice President of The Trust Company of Kansas, Trustee of the Charles M. Gable and Phyllis A. Gable Declaration of Trust dated December 18, 2002, known to me to be the person(s) who executed the within instrument, and acknowledged to me that they executed the same as their free act and deed.

In testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Pami Ryser
Notary Public:
My Commission Expires:



Warranty Deed
JOINT TENANCY

C/00
1/1
1/2

This Indenture, Made this 3rd day of JUNE, 2002 by and between, PATRICK M.

SCANLON AND SUSAN V. SCANLON, HUSBAND AND WIFE of LEAVENWORTH County, in the State of KANSAS, parties of the first part, and JOSEPH A. HERRING AND SHANNON R. HERRING, HUSBAND AND WIFE of LEAVENWORTH County, in the State of KANSAS, parties of the second part,

WITNESSETH, THAT THE SAID PARTIES OF THE FIRST PART, in consideration of the sum of One dollar and other good and valuable considerations and no/100— DOLLARS, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell and Convey unto the said parties of the second part, and the survivor of them, as joint tenants, and not as tenants in common, all the following described real estate, situated in the County of LEAVENWORTH and State of KANSAS, to wit:

A tract of land in the Southeast 1/4 of Section 28, Township 9, Range 22, more fully described as follows: Beginning at the Southwest corner of said Southeast 1/4; thence North 00 degrees 00'00" East, an assumed bearing, for a distance of 550.00 feet along the West line of said Southeast 1/4 to a 1/2" bar with Cap No. 1296; thence North 89 degrees 18'34" East for a distance of 800.00 feet parallel to the South line of said Southeast 1/4 to a 1/2" Bar with Cap No. 1296; thence South 00 degrees 00'00" East for a distance of 550.00 feet to the South line of said Southeast 1/4; thence South 89 degrees 18'34" West for a distance of 800.00 feet along said South line to the point of beginning, less any part thereof taken or used for road purposes,

In LEAVENWORTH COUNTY, KANSAS

Subject to easements, restrictions, reservations and covenants which may be of record.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, forever. And said parties of the first part for themselves and for their heirs, executors or administrators, does hereby covenant, promise and agree to and with said parties of the second part, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances, of what nature or kind soever: except as herein above stated and except for the lien of taxes both general and special not now due and payable and that they will warrant and forever defend the same unto the said parties of the second part, their assigns, and the heirs and assigns of the survivor of them, against said parties of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand the day and year first above written.

Patrick M. Scanlon
PATRICK M. SCANLON

Susan V. Scanlon
SUSAN V. SCANLON

ACKNOWLEDGMENT

STATE OF KANSAS

COUNTY OF LEAVENWORTH

} SS.

BE IT REMEMBERED, That on this 3rd day of June, 2002, before me, the undersigned, a Notary Public in and for said County and State, came PATRICK M. SCANLON AND SUSAN V. SCANLON, HUSBAND AND WIFE who are personally known to me to be the same person(s) who executed the within instrument of writing, and duly acknowledged the execution of the same.

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

Rhonda L. Maleo

My appointment expires:

RHONDA L. MALEO
NOTARY PUBLIC
STATE OF KANSAS
My App. Exp. 2/09/2005

STATE OF KANSAS
COUNTY OF LEAVENWORTH
FILED FOR RECORD

2002 JUN -7 P 4: 08

STACIE DRISCOLL
REGISTER OF DEEDS

Entered in the transfer record in ...
9th day of June 20 02
Linda O Schaefer, R. Cox
County Clerk

RESOLUTION 2022-04

A resolution of the Leavenworth County Kansas Board of Commissioners, authorizing a rezoning from RR-5 to R-1(43) on the following described property:

A tract of land Southeast Quarter of Section 28, Township 9 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas more commonly known as 16630 Gilman Road

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 22nd day of November, 2021, 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 12th day of January, 2022; 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 2nd day of February, 2022, 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 2nd day of February, 2022, and incorporated herein by reference;

That request for rezoning as described above, also known as 16630 Gilman Road, Parcel Identification Number 108-28-0-00-00-012.02 & 108-28-0-00-00-012.03, is hereby granted.

Adopted this 2nd day of February, 2022
Board of County Commission
Leavenworth, County, Kansas

Mike Smith, Chairman

ATTEST

Jeff Culbertson, Member

Janet Klasinski

Vicky Kaaz, Member

Doug Smith, Member

Mike Stieben, Member

**Leavenworth County
Request for Board Action
Resolution 2022-5 Special Use Permit Conley Siteworks**

Date: February 2, 2022
To: Board of County Commissioners
From: Planning & Zoning Staff

Department Head Review: Krystal Voth, Reviewed

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Approve Resolution 2022-5, a request for the renewal of a Special Use Permit for Conley Siteworks. This Special Use Permit was first approved in 2001 and last renewed in 2016. There are no changes to this business.

Analysis: The applicant is applying to renew their Special Use Permit for a contractor's yard. There have been no complaints regarding this business. This is a request to continue the operation of a Contractor's Yard that has been at this location for 20 years. The request is for a ten-year duration for the Special Use Permit. There are currently 8 employees, 2 live on the property, and 4 are family members. Two employees report to the business location each day, the remaining employees report to the job site. Employees typically arrive at the site, mobilize the equipment and supplies, leave the site and return at the end of the day Typical work hours are from 7 am to 5 pm, Monday - Friday. The business accesses 222nd Street, a chip and seal road ±22' wide.

The business is located on the northern ±1.25 acres of the site. Equipment and materials are stored both outside and within two buildings and conex containers. The business operates out of the east building. The business owners live on site.

Planning Commission Recommendation: The Planning Commission voted 6-0 (3 absent) to recommend approval of Case No. DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks.

Alternatives:

1. Approve DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact, and with or without conditions; or
2. Deny DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

Budgetary Impact:

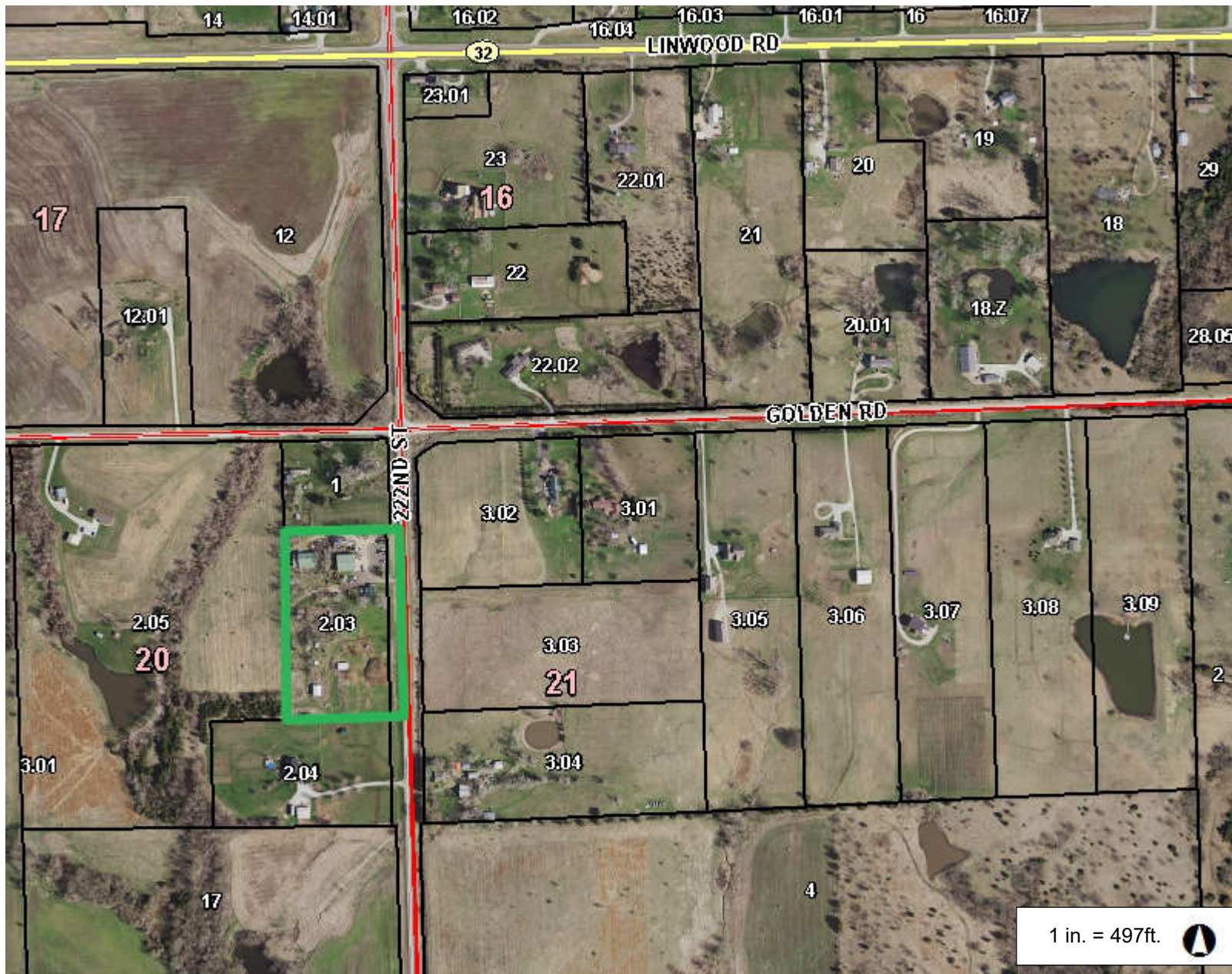
- X Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Total Amount Requested:

\$0.00


Additional Attachments: Staff Report, Planning Commission Minutes

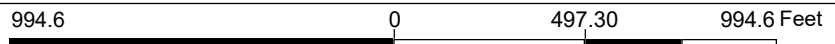
DEV-21-191 Conley SUP



Legend

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

1 in. = 497ft. 



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

Notes

Resolution 2022-5
Case No. DEV-21-191
Conley Siteworks
Special Use Permit – Contractor’s Yard

Staff Report – Board of County Commissioners

February 2, 2022

GENERAL INFORMATION:

**Applicant/
Property Owner:** Steven & Mary Conley
12321 222nd Street
Linwood, KS 66052

Legal Description: Lot 2 of Golden Pond Subdivision, in Leavenworth County, Kansas.

Location: 12321 222nd Street, approximately ¼ mile south of Golden Road.

Parcel Size: ± 5 acres

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

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

Parcel ID No.: 224-20-0-00-00-002.03

Planner: Krystal A. Voth

REPORT:

Planning Commission Recommendation

The Planning Commission voted 6-0 (3 absences) to recommend approval of Case No DEV-21-191 renewal of a Special Use Permit for Conley Siteworks, subject to the following conditions:

1. The SUP shall be limited to a period of 10 years.
2. The business shall be limited to the hours of 7:00AM until 5:00 PM, Monday-Friday.
3. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
4. No on-street parking shall be allowed.
5. The business shall be limited to five (5) employees reporting to the business location. This does not limit the number of employees reporting directly to job sites.
6. This SUP shall be limited to the Narrative dated November 18, 2021 submitted with this application.
7. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

Request

The applicant is requesting a Special Use Permit for Conley Siteworks, a contractor’s yard which has been in operation with a Special Use Permit for nearly two decades.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0325G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Reno
Water: RWD 10
Electric: Evergy

Access/Streets

The property is accessed by 222nd a County Arterial with a hard surface ± 22' wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, December 2, 2021
See attached comments – Memo – Lauren Anderson – Public Works, December 7, 2021
See attached comments – Memo – Steven Chellgren – Rural Water District 10, December 3, 2021

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 Special Use Permit request:

1. Character of the neighborhood: The character of the neighborhood is rural; primarily rural residences, and agricultural uses.
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.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suited for rural residences and agricultural use. The use is allowed with approval of a Special Use Permit.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. The business has been in operation for more than a decade with no complaints.
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 provides an income to the applicant.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Rural Residential.
8. Staff recommendation is for the denial of the Special Use Permit because it does not conform to the Comprehensive Plan.

History

This is the fourth request for this use on this parcel. In August 2001, The Board of County Commissioners approved a Special Use Permit for the storage of and parking construction/excavation equipment for 5 years subject to 7 conditions. In August 2006, The Board of County Commission approved a Special Use Permit for Conley Backhoe Service for 10 years subject to 5 conditions. The BOCC approved the SUP in 2016 for a period of five years.

Staff Analysis

<u>LOCATION</u>	
Adjacent Residences	Adjacent residences are rural and are located on parcels five acres or larger.
Adjacent Zoning/Uses	Zoning in the area is RR-5 and are used primarily as rural residences and agricultural uses.
Density	The area is not densely populated.
Nearby City Limits	The City of Tonganoxie is more than five miles to the north and the City of Linwood is more than four miles to the east.
Initial Growth Management Area	The property is not located within a growth management area.

IMPACT	
Noise Pollution	This use will not cause prolonged noise pollution. The primary times of elevated noise levels will be in the morning, between 7:00 AM and 7:20 AM when employees arrive at the site to gather equipment. During the evening, between 4:00 PM and 5:00 PM there will be elevated noise levels when employees return with equipment.
Traffic	The use will create minimum traffic as the majority of employees now meet at the construction site instead of at the business location. Two employees report to the business each day.
Lighting	The applicant does not have lighting other than security lighting and is not requesting lighting.
Outdoor Storage	The applicant stores limited materials outside of an existing shop. The vehicles necessary for the business are stored outside in a gravel parking lot.
Parking	The applicant has adequate parking space for employees.
Visitors/Employees	Typically, two (2) employees report to the site each day of the work week.
Waste	The business does not generate waste at the site.

SITE COMPATABILITY	
Size of Parcel	The parcel is five (5) acres in size.
Zoning of Parcel	The parcel is zoned Rural Residential-5
Buildings (Existing & Proposed)	The applicant has a shop and a storage building on the property.
Setbacks	Existing building meet the required setbacks.
Screening	The site has no formal screening, but there is ample tree-coverage around the storage areas.

Site Visit

The site is clean, well-maintained and as described.

Complaints

Staff has received no complaints.

Staff Comments

This is a request to continue the operation of a Contractor's Yard that has been at this location for 20 years. The request is for a ten-year duration for the Special Use Permit. There are currently 8 employees, 2 live on the property, and 4 are family members. Two employees report to the business location each day, the remaining employees report to the job site. Employees typically arrive at the site, mobilize the equipment and supplies, leave the site and return at the end of the day. Typical work hours are from 7 am to 5 pm, Monday - Friday. The business accesses 222nd Street, a chip and seal road ±22' wide.

The business is located on the northern ±1.25 acres of the site. Equipment and materials are stored both outside and within two buildings and conex containers. The business operates out of the east building. The business owners live on site.

Staff recommends denial of the Special Use Permit due to the request not being in conformance to the existing Comprehensive Plan.

ACTION OPTIONS:

1. Approve DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact, and with or without conditions; or
2. Deny DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to DEV-21-191 (Resolution 2022-5) renewal of a Special Use Permit for Conley Siteworks, with Findings of Fact; or

4. Remand the case back to the Planning Commission.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

Voth, Krystal

From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, December 7, 2021 2:26 PM
To: Gentzler, Joshua
Cc: Allison, Amy; Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: Special Use Permit Review - Conley Siteworks - DEV-21-191

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.

Joshua,
Lauren and I have reviewed the SUP with no comments.

Thanks,

Mitch Pleak

From: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Sent: Wednesday, December 1, 2021 10:53 AM
To: 'ltorneden@rtfd21.com' <ltorneden@rtfd21.com>; 'dshepherd@rtfd21.com' <dshepherd@rtfd21.com>; Bennett9@embarqmail.com; Tyler Rebel (Tyler.Rebel@westarenergy.com) <Tyler.Rebel@westarenergy.com>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Voth, Krystal <KVoth@leavenworthcounty.gov>
Subject: Special Use Permit Review - Conley Siteworks - DEV-21-191

The Department of Planning and Zoning has received an application for the renewal of a Special Use Permit for a contractor's yard for Conley Siteworks located at 12321 222nd Street, Linwood, KS 66052.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by December 9th, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at Jgentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

Voth, Krystal

From: Anderson, Kyle
Sent: Thursday, December 2, 2021 4:07 PM
To: Gentzler, Joshua
Subject: RE: Special Use Permit Review - Conley Siteworks - DEV-21-191

We have never received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

From: Gentzler, Joshua
Sent: Wednesday, December 1, 2021 10:53 AM
To: 'ltorneden@rtfd21.com' <ltorneden@rtfd21.com>; 'dshepherd@rtfd21.com' <dshepherd@rtfd21.com>; Bennett9@embarqmail.com; Tyler Rebel (Tyler.Rebel@westarenergy.com) <Tyler.Rebel@westarenergy.com>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Voth, Krystal <KVoth@leavenworthcounty.gov>
Subject: Special Use Permit Review - Conley Siteworks - DEV-21-191

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If you have any questions or need additional information, please contact me at (913) 684-0464 or at Jgentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

Voth, Krystal

From: Steve Chellgren <schellgren@Bulkig.com>
Sent: Friday, December 3, 2021 9:56 AM
To: Gentzler, Joshua; 'Peggy Pistora'; Mary Conley
Cc: Steve Conley
Subject: Re: Special Use Permit Review - Conley Siteworks - DEV-21-191

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.

Mr. Gentzler, RWD 10 has no concerns about the extension of the Special Use Permit for Conley Siteworks for the contractors yard. DEV-21-191

Please let me know if there is anything you need from us.

Thanks

Steven Chellgren
RWD 10 Chairman

Get [Outlook for iOS](#)

From: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Sent: Wednesday, December 1, 2021 4:55 PM
To: 'Peggy Pistora'; Mary Conley
Cc: Steve Chellgren; Steve Conley
Subject: RE: Special Use Permit Review - Conley Siteworks - DEV-21-191

Mary and Peggy,

Thank you for the update.

Let me know if you have any questions,

Joshua Gentzler

[Planning & Zoning](#)

From: Peggy Pistora <ppistora@gmail.com>
Sent: Wednesday, December 1, 2021 4:13 PM
To: Mary Conley <mary.conley@conleysandu.com>
Cc: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>; Steve Chellgren <schellgren@bulkig.com>; Steve Conley <steve.conley@conleysandu.com>
Subject: Re: Special Use Permit Review - Conley Siteworks - DEV-21-191

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.

Thank you, Mary.

Agree with your comments.

Steve Chellgren or I will respond on behalf of the District.

Peggy

Board Secretary

On Dec 1, 2021, at 3:37 PM, Mary Conley <mary.conley@conleysandu.com> wrote:

Joshua,

Mr. Bennett forwarded your email to me as we are now the Business Managers for Leavenworth County RWD10 as of 11/1/21. I believe responding on behalf of the district would be a conflict of interest on my part since I also completed the application for our primary company, Conley Sitework. I have copied our

board president and secretary on this email so that they may provide any commentary and input as you requested.

Thank you,

Mary Conley, PMP

Sr Project Manager/CFO
Conley Sitework & Utilities, Inc.
PO Box 715
Eudora, KS 66025
office (785) 838-4646
cell (785) 423-3866

----- Forwarded message -----

From: **Gary Bennett** <bennett9@embarqmail.com>
Date: Wed, Dec 1, 2021 at 1:41 PM
Subject: Fwd: Special Use Permit Review - Conley Siteworks - DEV-21-191
To: Mary Conley <mary.conley@conleysandu.com>

You should answer this for the district.

----- Forwarded Message -----

Subject:Special Use Permit Review - Conley Siteworks - DEV-21-191

Date:Wed, 1 Dec 2021 16:52:58 +0000

From:Gentzler, Joshua <JGentzler@leavenworthcounty.gov>

To:'ltorneden@rtfd21.com' <ltorneden@rtfd21.com>, 'dshepherd@rtfd21.com' <dshepherd@rtfd21.com>, Bennett9@embarqmail.com <Bennett9@embarqmail.com>, Tyler Rebel (Tyler.Rebel@westarenergy.com) <Tyler.Rebel@westarenergy.com>, Anderson, Kyle <KAnderson@leavenworthcounty.gov>, Anderson, Lauren <LAAnderson@leavenworthcounty.gov>, Magaha, Chuck <cmagaha@lvsheriff.org>, Miller, Jamie <JMiller@leavenworthcounty.gov>, Mitch Pleak <MPleak@olsson.com>, Patzwald, Joshua <jpatzwald@lvsheriff.org>, Van Parys, David <DVanParys@leavenworthcounty.gov>

CC:Allison, Amy <AAllison@leavenworthcounty.gov>, Sloop, Stephanie <SSloop@leavenworthcounty.gov>, Voth, Krystal <KVoth@leavenworthcounty.gov>

The Department of Planning and Zoning has received an application for the renewal of a Special Use Permit for a contractor's yard for Conley Siteworks located at 12321 222nd Street, Linwood, KS 66052.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by December 9th, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at

Jgentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler

Planner II

[Planning & Zoning](#)

Leavenworth County

913.684.0464

<DEV-21-191 Aerial.pdf>

<2021.12.01 DEV-21-191 Application.pdf>

SPECIAL USE PERMIT APPLICATION

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

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Steve and Mary Conkey</u>	NAME <u>same</u>
ADDRESS <u>12321 222nd st</u>	ADDRESS _____
CITY/ST/ZIP <u>Linwood ks 66052</u>	CITY/ST/ZIP _____
PHONE <u>785-423-0987</u>	PHONE _____
EMAIL <u>Mary.conkey@ConkeySandra.com</u>	EMAIL _____
CONTACT PERSON <u>Steve Conkey</u>	CONTACT PERSON _____

PROPERTY INFORMATION

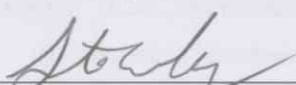
PID: 224 200 000 000 2030 Zoning District: RR-5?

Address of property 12321 222nd st Parcel size 4.96

Current use of the property residential, commercial, agriculture

Does the owner live on the property? Yes No

I, the undersigned am the (circle one) owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Special Use Permit as indicated above. **I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.**

Signature  Date 11-18-21

ATTACHMENT A

PROPOSED SPECIAL USE PERMIT INFORMATION

Name of Business Conley Sitework & Utilities, Inc.

Existing and Proposed Structures Existing - house, 2 outbuildings

Number of structures used for Special Use Permit 2

Will the use require parking? Yes No How many parking spaces are proposed/available? 2-4

Is the proposed use seasonal? Yes No
If yes, what months will the use be active? _____ through _____
Month Month

Reason for requesting a Special Use Permit: Requesting renewal of special use permit

Estimated Traffic

In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.

How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 6-8 Weekly 30-40 Monthly 120-160

If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 2-4 Weekly 10-20 Monthly 40-80

If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days in a calendar year.

Passenger: Months n/a Weeks _____ Days _____

Commercial: Months n/a Weeks _____ Days _____

When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):

throughout the day but primarily 7-7:30am and 3-4 pm

What is the anticipated route(s) from the nearest State Highway to the Site? 22nd St

Special Use Permit Renewal

Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:

Traffic was decreased because we only have 1 dump truck in operation and since COVID most employees are driving directly to the job sites.

Have you added any buildings since the SUP was last issued? Yes No Any parking? Yes No

SUP CHECKLIST AND NARRATIVE GUIDE

The Planning and Zoning Staff will review the proposed application and discuss plans and policies; which may affect the site in question. The applicant may be asked to provide additional information for further review.

The Planning Commission meets on the second Wednesday of each month. Items are initially assigned a hearing date based upon the date on which they are received; **All application materials shall be submitted by application deadline as indicated on the current Planning Commission Schedule and Deadlines Form.** The Applicant is required to attend the meeting, as they will be provided time to speak to the Commissioners about their application and may be asked questions by the Commission.

The Planning Department advises the Planning Commission through presentation of a staff report, which recommends approval, approval with conditions, or denial. Conditions will be attached to most Special Use Permits.

Members of the Planning Commission evaluate the application, giving consideration of the recommendations from the Planning Staff. They may impose any conditions they consider necessary to ensure public safety, health, and welfare.

The Planning Commission makes a recommendation to the Board of County Commissioners as to whether the permit should or should not be approved and the Board of County Commissioners will make the final decision.

For the application to be accepted by the Planning and Zoning Department, the following items must be submitted:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Application Form | <input checked="" type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> Application Fee | <input type="checkbox"/> Building Plans (if applicable) |
| <input checked="" type="checkbox"/> Proposed Use Information | <input checked="" type="checkbox"/> Narrative (see below) |
| <input type="checkbox"/> Owner Authorization (if applicable) | <input type="checkbox"/> Tax Clearance Certificate |
| <input checked="" type="checkbox"/> Deed showing current ownership | <input type="checkbox"/> Any other documents requested by Planning and Zoning, on a case-by-case basis |

Written Narrative Requirements

Written Narrative Description: A written narrative description of the proposed use must be submitted that addresses:

- The reasons that appear to make the site in question appropriate for the proposed use.
- Any reasons that the proposed use could cause conflict with other parcels surrounding the site in question.
- The steps to be taken to cause the use to be compatible with other parcels near the site in question.
- The hours of operation, traffic routes and expected traffic volumes, staffing levels, methods of operation, and off-street parking.
- The number of parking spaces available on the property and the reasoning behind the number provided.
- The number of months/years for which the permit is requested and whether the character of the use would tend to be seasonal or vary during the duration of the permit.
- The extent to which the use could cause pollution.
- Any other such reasonable information about the proposed use that would be necessary or helpful for the impact of the proposed use to be fully evaluated and considered.

Conley Sitework Special Use Permit Application Written Narrative

This narrative describes the proposed renewal use of the property at 12321 222nd St for operating Conley Sitework & Utilities, Inc., an excavation company owned and operated by the primary resident, Steve Conley. The request is for an additional 10-year renewal of this special use permit.

Hours of operation for the company are 7:00am-5:00pm Monday through Friday and business is conducted in the large outbuilding where there is an office and shop area. The company currently employs 8 individuals, six of these are operators and laborers and 2 of the executive/office staff which reside at the same address. The company's primary scope of work includes excavation and utility installation for commercial and residential projects. Additionally, the company is the utility contractor and management service for Rural Water District 10 Leavenworth County. Employees are provided parking in the gravel/asphalt milled lot out front which is also where equipment and dump trucks not in use on projects are stored. Majority of the traffic is between 7-7:30am when crews are mobilizing to the job site for the day and 4-5pm when they return back to the shop. This traffic has reduced since the COVID pandemic restrictions in 2020 and currently only 2 non-family employees utilize the parking on a daily basis. The remainder of the employees drive their own or company provided vehicles directly to the job site.

There are currently no signs on the property indicating the location as they were removed as part of the conditions in the last special use permit approval DEV-16-088. There is outdoor lighting on the front of the shop facing east. No waste material is brought to this site.



Conley Sitework & Utilities, Inc.

Site Plan updated 11/18/21

Only changes since 2016 application is additional concrete slab in front of the shop area and asphalt milling overlay of parking to reduce dust.



Laura Kelly, Governor
Mark A. Burghart, Secretary
www.ksrevenue.org

CERTIFICATE OF TAX CLEARANCE

Steven Conley

ISSUE DATE

11/18/2021

TRANSACTION ID

TFRP-22D4-PMNT

CONFIRMATION NUMBER

CNHF-MRBJ-GHPY

TAX CLEARANCE VALID THROUGH 02/16/2022

*Verification of this certificate can be obtained on our website, www.ksrevenue.org,
or by calling the Kansas Department of Revenue at 785-296-3199*

RESOLUTION 2022-5

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a contractor's yard – Conley Siteworks on the following described property:

Lot 2 of Golden Pond Subdivision, in Leavenworth County, Kansas more commonly known as 12321 222nd Street.

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 1st day of December, 2021, 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 Special Use Permit on the 12th day of January, 2022; 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 Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 2nd day of February, 2022, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission 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 Commission in regular session on the 2nd day of February, 2022, and incorporated herein by reference;

That Case No. DEV-211-191, Special Use Permit for a Contractor's Yard – Conley Siteworks approved subject to the following conditions:

1. The SUP shall be limited to a period of 10 years.
2. The business shall be limited to the hours of 7:00AM until 5:00 PM, Monday-Friday.
3. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
4. No on-street parking shall be allowed.
5. The business shall be limited to five (5) employees reporting to the business location. This does not limit the number of employees reporting directly to job sites.
6. This SUP shall be limited to the Narrative dated November 18, 2021 submitted with this application.
7. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

located in Section 20, Township 12 South, Range 21, also known as 12321 222nd Street,
parcel no. 224-20-0-00-00-002.03 in Leavenworth County, Kansas.

Adopted this 2nd day of February, 2022
Board of County Commission
Leavenworth, County, Kansas

Mike Smith, Chairman

ATTEST

Jeff Culbertson, Member

Janet Klasinski

Vicky Kaaz, Member

Doug Smith, Member

Mike Stieben, Member

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
January 12, 2022**

The full recorded meeting can be found on the County's YouTube channel.

Meeting called to order at 5:30 pm

Pledge of Allegiance

Members present: Steve Rosenthal, Mark Denney, Jeff Spink, Amy Baker, Alan Stork, Rocky Himpel, and Jaden Bailey

Members absent: Tom Dials, Robert Owens and Wolf Schmidt

Staff present: Krystal Voth – Director, Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, Joshua Gentzler-Planner, David Van Parys-Senior County Counselor

Minutes:

Commissioner Bailey motion to approve the December PC Minutes with corrections was made. Commissioner Baker seconded that motion.

ROLL CALL VOTE - Motion to approve passed, 5/0, 1 Abstain, 3 Absent

Commissioner Bailey motion to approve the Work Session Minutes. Commissioner Baker seconded that motion.

ROLL CALL VOTE - Motion to approve passed, 6/0, 3 Absent

Secretary's Report:

Krystal Voth gave the secretary's report, going over the consent agenda and regular agenda. She also stated that

Commissioner Himpel made a motion to approve the agenda. Commissioner Spink seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 6/0, 3 absent

Consideration of an application for a Special Use Permit for a Contractor's Yard on the following described property: Lot 2, Golden Pond Subdivision, located in Leavenworth County, Kansas.

Also known as 12321 222nd Street

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Krystal Voth presented the facts and findings for the above request. Mrs. Voth let the Commission know that staff's recommendation of this request was for denial because it does not match the future land use map.

Chairman Rosenthal opened the public portion of the hearing and asked the applicant if they wished to speak. The applicant, Mr. Conley came forward to answer any questions.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Chairman Rosenthal closed the public portion of the hearing.

Discussion was had among the board about screening and noise level.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve DEV-21-191. Commissioner Bailey seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 6/0 (3 absent)

The Board of County Commissioners will consider this item no earlier than **February 2, 2022 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting.

Case DEV-21-186 Rezone Request RR-2.5 to RR-1 (43)

Consideration of a rezone request from RR-2.5 Zoning District to the RR-1 (43) Zoning District on a tract of land in the Southeast Quarter of Section 28, Township 9 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 16630 Gilman Road

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Josh Gentzler presented the facts and findings for the above request. Mr. Gentzler let the Commission know that staff's recommendation of this request was for approval.

Chairman Rosenthal opened the public portion of the hearing and asked the applicant if they wished to speak. The applicant, Herring Survey, was called via phone to give his public comment and answer questions.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Chairman Rosenthal closed the public portion of the hearing.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve DEV-21-186. Commissioner Stork seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 6/0 (3 absent)

The Board of County Commissioners will consider this item no earlier than **February 2, 2022 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting.

Planning Commission is adjourned at 5:55 PM and reconvened into the Board of Zoning Appeals.

Case DEV-21-204

Consideration of a request for a Variance from the Leavenworth County Zoning and Subdivision Regulations under Article 41, Section 6 which requires a minimum distance of 660' from an intersection.

Also known as 17271 Hollingsworth Road

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Krystal Voth presented the facts and findings for the above request. Mrs. Voth explained the nature of this request. The Board asked some clarifying questions.

Chairman Rosenthal opened the public portion of the hearing and asked if the applicant would like to address the Board. Mr. Herring explained the nature of this request via phone and answered questions.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request.

Chairman Rosenthal asked if there was anyone wishing to speak in opposition. A property owner came forward to ask clarifying questions. Chairman Rosenthal closed the public portion of the hearing.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve DEV-21-204. Commissioner Stork seconded the motion.

ROLL CALL VOTE - Motion to approve passed 6/0 (3 absent)

Board of Zoning Appeals adjourned at 7:06 PM

**WORK SESSION
MATERIAL ONLY**



COUNTY OF LEAVENWORTH

300 Walnut St., Suite 106
Leavenworth, Kansas 66048-2725
(913) 684-0412
www.leavenworthcounty.gov

*From the office of Thomas A. Cole, Economic Development Administrator
Email: tcole@leavenworthcounty.gov*

Proposed 2022 Economic Development Plan of Work

Mission: To advance the economic growth, development and redevelopment of Leavenworth County enhancing the quality of life in the entire community.

Goal: Attain measurable progress in each of the four primary objectives

Objective NOW:

- Draft an Economic Development Policy for Non-Incorporated County
- Create GIS Maps Demonstrating Available Infrastructure in Developable Areas
- Build Alliances and Relationships with Key Stakeholders

Objective 1: Business Expansion and Retention

- Identify / Respond to the needs of the business community
- Serve as a catalyst to foster a stronger business climate
- Assist County businesses in removing barriers of success through communication, problem solving and consensus building

Objective 2: Business Attraction

- Attract new firms to Leavenworth County
- Market the County to local / national real estate firms, developers, industry professionals and economic development partners

Objective 3: Entrepreneurship

- Develop alliances to reinforce the efforts of local entrepreneurs
- Establish a predictable set of resources to assist small business start-ups

Objective 4: Maintain and Improve Relations with the Business Community

- Identify critical messages
- Identify / secure audiences and avenues of message disbursement
- Implement message delivery
- Foster positive, upbeat and hopeful messages relative to the County's future

Objective NOW:

Draft an Economic Development Policy for Non-Incorporated County

- Establish a fair and predictable set of applicable standards relative to the County's use of economic development incentives.
- The standards may be modified for special or unique projects, but generally provide a reliable benchmark to serve as a core component of the economic development program.
- Assists in eliminating inequity among businesses relative to development projects.
- Create an application and applicable fee schedule.

Create GIS Maps Demonstrating Available Infrastructure in Developable Areas

- This item will take some guesswork and due diligence off the plate of interested parties relative to utility and infrastructure placement in pertinent development areas.

Build Alliances and Relationships with Key Stakeholders

- Establish familiarity and trusted relationships with Leavenworth County community leaders, real estate professionals, financial institutions, etc.

Objective 1: Business Expansion and Retention

Identify / Respond to the needs of the business community

- Establish a brief conversational template for personal visits with existing businesses including (but not limited to) major employers, tax generators and emerging industries
- Resolve perceived barriers to success by working with the business owner and / or local government staff
- Recommend solutions and resources to business owners
- Provide annual report to the Board of County Commissioners identifying characteristics of the firms and key findings

Serve as a catalyst to foster a stronger business climate

- Address issues that may arise from business visits
- Bring to County Administrator / Board of County Commissioners any issues that may require legislative / policy action
- Partner with Leavenworth County Economic Development Council, Port Authority, Cities, Chambers, School District, etc. for specific initiatives when necessary

Assist Leavenworth County businesses in removing barriers of success through communication, problem solving and consensus building

- Identify / Assess / Address the needs of individual businesses
- Provide resources, contacts and connections required to assist individual firms in resolving perceived / actual barriers to success including incentives, training programs and workforce development initiatives
- Rather than being a regulatory arm of County government, the ED Administrator will serve as a positive liaison between independent business and the County government

Measurements of Achievement for Objective 1: Business Expansion and Retention

- Number of business visits completed
- Report key / common findings or perceptions of the firms who participate in the business visits
- Number of issues identified and resolved by ED Administrator's office
- Number of retained jobs that could have left the County if the firms' needs were not met or assistance was not provided

Objective 2: Business Attraction

Attract new firms to Leavenworth County

- Initiate all necessary economic development tools and processes to capitalize on the opportunity to attract new business
- Identify target industry sectors
- Utilize Location One Information System (LOIS) database to collect and market available properties in Leavenworth County. Utilizing LOIS will also foster a greater relationship with real estate broker who have a vested interest in the County
- Identify and recruit potential developers for viable development / redevelopment sites
- Manage business recruitment efforts of leads generated through regional partners (Kansas City Area Development Council, KDOCH, LCDC, bankers, real estate brokers, etc)
- Initiate and respond to inquiries about Leavenworth County including proposals, site tours and real estate research
- Participate in local / state / federal policy development initiatives to enhance appropriate and unique inducement offerings to attract new business

Market Leavenworth County to local / national real estate firms, developers, industry professionals and economic development partners

- Utilize industry-specific advertising (when appropriate)
- Meet with local / national site selection consultants
- Participate in relevant trade shows / development events
- Meet with targeted companies
- Host community familiarization tour(s) for local brokers / developers
- Market the County through an updated website and/or print materials

Measurements of Achievement for Objective 2: Business Attraction

- Targeted list of companies identified, developed and met
- Number of responses / proposals to site selection initiatives led by Economic Development Administrator, Kansas City Area Development Council, LCDC, KDOCH, etc
- Number of marketing placements placed maximizing exposure and value
- Number of tradeshow, joint marketing trips, proposals and leads generated from such efforts
- Number of new firms and new jobs to Leavenworth County
- Sales tax revenue increase over previous year (assumes partial recovery of national economy)
- Increase in assessed valuation (assumes partial recovery of national economy)
- The economic impact of projects is in excess of the County's annual economic development budget

Objective 3: Entrepreneurship

Develop alliances to reinforce the efforts of local entrepreneurs

- Initiate partnerships with the Small Business Development & Technology Center (SBDC), Service Corp of Retired Executives (SCORE), KCSOURCELINK and SBA Lending Authorities

Establish a predictable set of resources to assist small business start-ups

- Create a document for distribution to entrepreneurs identifying area banks, lending authorities, state agencies and free consulting services to assist in establishing and fortifying small businesses in the County

Measurements of Achievement for Objective 3: Entrepreneurship

- Number of firms which utilized the County as a resource
- Number of firms that actually initiated a start-up firm or improved as a result of contact with the County

**Note: Entrepreneurship and Small Business Start-Up will likely be the least emphasized component in the plan of work. However, it is critical that the County be prepared to engage, direct and assist in identifying viable resources to assist our small business owners in the attainment of their goals.*

While we may simply be serving as a "pass through," our knowledge of such resources is an expectation held by our citizens.

Objective 4: Maintain and Improve Relations with Business Community

Identify Critical Messages

- Establish a comprehensive communications plan to broadcast economic development progress, initiatives and success stories
- Messages must be pertinent, clear and concise

Identify / secure audiences and avenues of message disbursement

Implement message delivery

- Utilize a widely accessible range of communication tools to distribute key messages including press releases, County's website, trade organizations, economic development and real estate organizations, news media, E-news, etc
- Target key audiences including Society of Office & Industrial Real Estate (SIOR), Certified Commercial Investment Members (CCIM), Kansas City Commercial Real Estate Women (KCCREW), Society of Marketing Professional Services (SMPS – a development marketing organization), etc
- Utilize Social Media to positively promote the economic development efforts of Leavenworth County
- Maintain relationships with organizations that can also assist in distributing County news (Chambers of Commerce, local governments, Kansas City Area Development Council, International Economic Development Council, KCCREW, SIOR, ICSC etc.

Foster positive, upbeat and hopeful messages relative to Leavenworth County's future

- As negative and positive perceptions are equally contagious, it is our intent to promote the County in a manner that spurs confidence in our future

Measurements of Achievement for Objective 4: Maintain and Improve Relations with Business Community

- Audiences are aware of the County's commitment to economic development
- Positive feedback is garnered from immediate community and key partners
- Communications plan has been completed
- Number of published articles, presentations, news releases, etc

Examples of Incentives Offered Via the State of Kansas:

High Performance Incentive Program (HPIP)

HPIP provides tax incentives to employers that pay above-average wages and have a strong commitment to skills development for their workers. Employers that qualify for the program have the potential to receive a 10% income tax credit for capital investment projects that exceed \$50,000, a sales tax exemption to use with the qualifying capital investment project, a training tax credit up to \$50,000 and priority consideration for participation in additional incentive programs.

Kansas Industrial Training and Retraining Programs (KIT/KIR)

The KIT and KIR Programs were designed to help support business expansion efforts by supporting training of new or existing employees to avoid job displacement due to inadequate or obsolete skills. A KIT or KIR training grant can reimburse some of the costs associated with training or retraining: instructor salaries, curriculum development, travel, materials, supplies, textbooks, minor training equipment and some facility costs.

Promoting Employment Across Kansas (PEAK) Program

The PEAK Program targets companies looking to relocate or expand in Kansas. Eligible companies may retain 95% of the payroll withholding tax of employees that are determined to be eligible for up to 10 years. Job eligibility depends on location of jobs and median wage compared to the county's median wage. Eligible jobs are those that pay above the county median wage where the operations and jobs will be located.

QUESTIONS:

1. What do we really want to attain?
 - a. Sales Tax Revenue
 - b. Property Tax Revenue
 - c. New Amenities
 - d. ???

2. What can we do to emphasize our interest in becoming a more viable business location?

3. Do we have a Big Hairy Audacious Goal?
 - a. Workforce Housing
 - b. Population Increase
 - c. Retail
 - d. Industrial
 - e. Commercial (office/flex)
 - f. Spec Building Program
 - g. Business Incubator