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Leavenworth County
Board of County Commissioners

Regular Meeting Agenda
300 Walnut Street, Suite 225

Leavenworth, KS 66048

June 8, 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:
- 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 June 1, 2022
 - b) Approval of the schedule for the week June 13, 2022

- c) Approval of the check register
- d) Approve and sign the OCB's

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve the release of a right of way easement on Eisenhower Road.

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

- a) Executive session to discuss legal matters

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

**WORK SESSION IMMEDIATELY FOLLOWING REGULAR
MEETING TO DISCUSS BUDGET**

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, June 6, 2022

Tuesday, June 7, 2022

Wednesday, June 8, 2022

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

Thursday, June 9, 2022

12:00 p.m. LCDC meeting

Friday, June 10, 2022

11:30 a.m. 2022 Mid America Regional Council Regional Assembly
• 2345 McGee St., Kansas City, MO

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

*****June 1, 2022 *****

The Board of County Commissioners met in a regular session on Wednesday, June 1, 2022. Commissioner Mike Smith, Commissioner Kaaz, Commissioner Culbertson, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director; Connie Harmon, Council on Aging Director; John Richmeier, Leavenworth Times

Residents: Ed and Cindy Irvine, AW Himpel, Joe Herring

PUBLIC COMMENT:

Joe Herring commented on agenda items.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben inquired about active shooter protocols.

Mark Loughry reported any protocols would be the responsibility of local law enforcement indicating he did not think that is information they would be willing to share.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, June 1, 2022 as presented.

Motion passed, 5-0.

Connie Harmon requested approval of a budget increase for meals-on-wheels.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the price increase from \$5.25 to \$6.50 per meal by increasing the budget by \$115,242.00.

Motion passed, 5-0.

Krystal Voth presented Resolution 2022-11, a rezone request from RR-5 to RR-2.5 located 20078 235th St.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve 2022-11, a rezone from 5 acres to 2.5 located at 20078 235th St.

Motion passed, 5-0.

Ms. Voth presented Resolution 2022-12, a rezone request from RR-5 to RR-2.5 located on 219th St.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Resolution 2022-12, a rezone from RR-5 to RR-2.5 located at Leavenworth Road and 219th St.

Motion passed, 5-0.

Mr. Loughry requested approval of a proposal from Finney and Turnipseed for the design and inspection of various bridges throughout the county.

A motion was made by Commissioner Stieben and seconded by Commissioner Culbertson to accept the proposal from Finney and Turnipseed for design and inspection of bridges ST-26, HP-36, K-19 and E-48 in the amount of \$525,000.00.

Motion passed, 5-0.

Mr. Loughry requested approval of the funding supplement agreement with KDOT for ST-100 off-system bridge grant.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve the additional funding on the supplemental agreement with KDOT for ST-100 off-system bridge grant.
Motion passed, 5-0.***

Ed and Cindy Irvine commented on a non-agenda item.

Commissioner Doug Smith attended the Basehor City Council meeting

Commissioner Kaaz participated in the KCATA last week.

Commissioner Mike Smith thought the joint meeting with the city of Lansing was very productive.

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

The Board adjourned at 9:32 a.m.

LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

Monday, June 13, 2022

Tuesday, June 14, 2022

Wednesday, June 15, 2022

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

Thursday, June 16, 2022

Friday, June 17, 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: 05/28/2022 END DATE: 06/02/2022

TYPES OF CHECKS SELECTED: * ALL TYPES

			P.O.NUMBER	CHECK#						
2489	BEDNAR, ROBERT	HONORABLE ROBERT BEDNAR	328055	98651 AP	06/02/2022	2-001-5-19-252	DOMESTIC COURT PRO TEM	3,000.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-05-215	TONGANOXIE WATER EMS 425 LAMIN	91.91		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-05-215	FREESTATE ELEC SVC EMS 9102	180.71		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-05-280	5-29 MIDWEST MOBILE +ANTENNA +	402.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-06-216	AT&T MOBILITY - PLANNING MIFI	172.92		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-208	FIRST ADVANTAGE 5 BACKGROUND C	20.36		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-208	5-29 MIDWEST MOBILE +ANTENNA +	1,640.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-210	AT&T LVSO WIRELESS -1005	7,767.34		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-210	AT&T LVSO WIRELESS -5018	92.46		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-210	AT&T MONTHLY SVC 1113	237.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-213	5-29 MIDWEST MOBILE +ANTENNA +	50.24		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-216	TIME WARNER INTERNET ACCESS EO	74.99		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-07-223	FREESTATE ELEC SVC TO SIRENS	376.21		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-14-210	SPECTRUM - COMMUNICATIONS	2,023.95		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-14-210	SPECTRUM - COMMUNCATIONS,ACCES	378.87		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-14-220	TONGANOXIE WATER EMS 425 LAMIN	63.29		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-14-220	FREESTATE ELEC SVC EISENHOWER	790.98		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-18-213	SPECTRUM - COMMUNCATIONS,ACCES	2,500.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-001-5-53-207	WASTE MGMT NOX WEED TRASH	94.61		
								*** VENDOR	648 TOTAL	16,957.84
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	328036	98646 AP	05/31/2022	2-001-5-13-271	2021 STATE CHILD DEATH REVIEW	320.00		
11469	KANSAS JUD	KANSAS JUDICIAL COUNCIL	328038	98648 AP	05/31/2022	2-001-5-11-307	CO ATTY-2 PIK CRIM 4TH 2021 SU	190.00		
2666	MISC REIMBURSEMENTS	STEPHANIE SLOOP	328039	98649 AP	05/31/2022	1-001-5-49-341	REPL CK 90210 STALE DATED-ALRE	96.03		
20	TBC VIDEO	TELE-BUSINESS COMMUNICATIONS,	328040	98650 AP	05/31/2022	2-001-5-11-255	VIDEOTAPE DEPOSITION 2022-CR-9	281.25		
100	WITNESS LIST									
								*** VENDOR	100 TOTAL	200.31
								TOTAL FUND 001		21,045.43

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-108-5-00-601	5-29 MIDWEST MOBILE +ANTENNA +	75.00		
								TOTAL FUND 108	75.00	

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-127-5-00-3	AT&T COMM CORR JIAS,JCPG, CMA	287.85		
								TOTAL FUND 127	287.85	

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-133-5-00-207	5-29 MIDWEST MOBILE +ANTENNA +	395.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-133-5-00-251	5-11 FREESTATE - TONGIE QUARRY	94.51		
								*** VENDOR	648 TOTAL	489.51
								TOTAL FUND 133	489.51	

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-136-5-00-226	AT&T COMM CORR JIAS,JCPG, CMA	115.14		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-136-5-00-301	AT&T COMM CORR JIAS,JCPG, CMA	100.14		
								*** VENDOR	648 TOTAL	215.28
								TOTAL FUND 136	215.28	

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-138-5-00-206	AT&T COMM CORR JIAS,JCPG, CMA	57.57		
								TOTAL FUND 138	57.57	

warrants by vendor

TYPES OF CHECKS SELECTED: * ALL TYPES

		P.O.NUMBER	CHECK#								
2621	CAFE	TERRY BOOKER	328056	98652 AP	06/02/2022	2-145-5-00-256	CO ON AGING MEALS RESERVED 5/1	9,843.75			
2621	CAFE	TERRY BOOKER	328056	98652 AP	06/02/2022	2-145-5-00-256	CO ON AGING MEALS RESERVED 5/1	9,933.00			
2621	CAFE	TERRY BOOKER	328056	98652 AP	06/02/2022	2-145-5-00-256	CO ON AGING MEALS RESERVED 5/1	2,068.50			
								*** VENDOR	2621 TOTAL		21,845.25
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-145-5-00-204	5-29 MIDWEST MOBILE +ANTENNA +	105.00			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-145-5-00-246	IRON MOUNTIAN SHREDDING 2 PICK	111.90			
								*** VENDOR	648 TOTAL		216.90
6636	KANSAS GAS	KANSAS GAS SERVICE	328037	98647 AP	05/31/2022	2-145-5-00-246	510874092 1511346 27 GAS SVC	220.32			
								TOTAL FUND 145			22,282.47

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-160-5-00-204	HAMM - APRIL LANDFILL CHARGES	78,450.26			
								TOTAL FUND 160			78,450.26

534	SANDS CONSTRUCTION	SANDS CONSTRUCTION LLC	328034	10129 AP	05/30/2022	2-172-5-00-107	ARPA057(2.3) 3-21113.01 CRISIS	54,266.00			
534	SANDS CONSTRUCTION	SANDS CONSTRUCTION LLC	328034	10129 AP	05/30/2022	2-172-5-00-107	ARPA058(2.4) 3-21113.02 EXTENS	45,315.00			
534	SANDS CONSTRUCTION	SANDS CONSTRUCTION LLC	328034	10129 AP	05/30/2022	2-172-5-00-107	ARPA056(2.2) 3-21113.00 COA	511,268.00			
								*** VENDOR	534 TOTAL		610,849.00
								TOTAL FUND 172			610,849.00

648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	328035	98645 AP	05/31/2022	2-174-5-00-210	FREESTATE ELEC SVC EISENHOWER	861.42			
6636	KANSAS GAS	KANSAS GAS SERVICE	328037	98647 AP	05/31/2022	2-174-5-00-210	510614745 2007004 82 GAS SVC	62.25			
								TOTAL FUND 174			923.67

701	MCM	MIDWEST CONCRETE MATERIALS, IN	328057	98653 AP	06/02/2022	2-185-5-00-2	6-1 LE2060 CONCRETE FOR K-45 B	4,800.00			
								TOTAL FUND 185			4,800.00
								TOTAL ALL CHECKS			739,476.04

TYPES OF CHECKS SELECTED: * ALL TYPES

FUND SUMMARY

001	GENERAL	21,045.43
108	COUNTY HEALTH	75.00
127	COMM CORR ADULT NON GRANT	287.85
133	ROAD & BRIDGE	489.51
136	COMM CORR JUVENILE	215.28
138	JUV INTAKE & ASSESSMENT	57.57
145	COUNCIL ON AGING	22,282.47
160	SOLID WASTE MANAGEMENT	78,450.26
172	AMERICAN RECOVERY PLAN	610,849.00
174	911	923.67
185	KICKAPOO TWP TRAFFIC IMPACT	4,800.00
	TOTAL ALL FUNDS	739,476.04

Consent Agenda 06-08-2022
Checks dated 5/28/22 - 6/2/22



**Leavenworth County
Request for Board Action**

Date: June 3, 2022

To: Board of County Commissioners

Cc: Mark Loughry; Bill Noll

From: David C. Van Parys

Department Head Approval: N/A

Additional Reviews as needed:

Budget Review Administrator Review Legal Review

Action Requested: Approval of release of r.o.w easement.

Recommendation: Approval of release of r.o.w easement.

Analysis: Pursuant to a now defunct county policy of requiring persons wishing to make lot splits or subdivide their property to donate r.o.w easements in addition to those necessitated by the lot split or subdivision, a certain easement was obtained. The owner of the affected property has filed an application to have the additional r.o.w easement area vacated pursuant to current county policy.

The property is located along the Eisenhower project corridor and the road is now under the control of the city of Leavenworth. The city Public Works Director has been contacted and expresses no objection to the proposed release.

The proposed release would be in accord with Kansas and constitutional laws, pose no burden to the public and return to the property owner that r.o.w specified in the attached exhibit. Any applicable recording fees should be paid by the county.

Alternatives: (1) Table for further consideration (2) Deny the request (3) Authorize the chairperson to execute the appropriate release of easement document.

Budgetary Impact: > \$30 in recording fees

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

Total Amount Requested: N/A

Additional Attachments: See parcel survey description; e-mail from City of Leavenworth.

INFORMATION SKETCH

Tract in the Northwest Quarter of
Section 16, Township 9 South,
Range 22 East of the 6th P.M.,
Leavenworth County, Kansas.

PREPARED FOR:
Limestone Land Company LLC
17096 Eisenhower Road
Leavenworth, KS 66048

SURVEYOR'S DESCRIPTION:

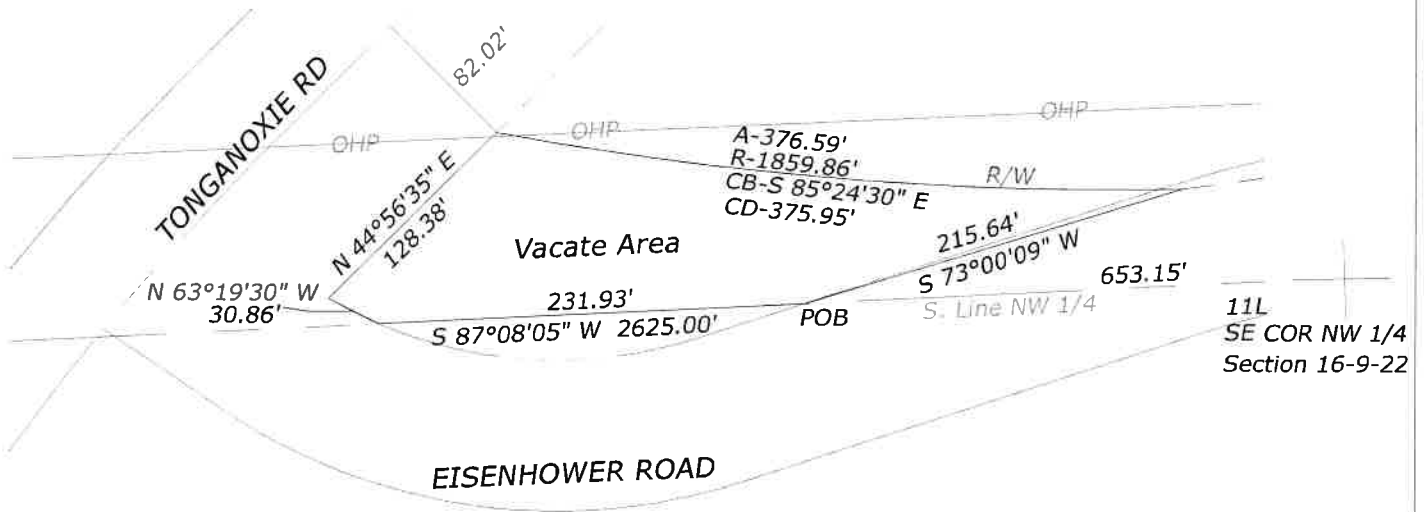
RIGHT OF WAY VACATION DESCRIPTION:

Tract of land in the Northwest Quarter of Section 16, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on December 15, 2021, more fully described as follows: Commencing at the Southeast corner of said Northwest Quarter; thence South 87 degrees 08'05" West for a distance of 653.15 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing South 87 degrees 08'05" West for a distance of 231.93 feet along said South line; thence North 65 degrees 19'30" West for a distance of 30.86 feet; thence North 44 degrees 56'35" East for a distance of 128.38 feet to the existing Northerly right of way of Eisenhower Road; thence on a non-tangent curve to the left having a radius of 1859.86 feet and an arc length of 376.59 feet, being subtended by a chord bearing of South 85 degrees 24'30" East and a chord distance of 375.95 feet, along said right of way to the point of beginning,

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 26170.12 Square Feet, 0.60 Acres, more or less.

Error of Closure: 1 - 140890



J. Herring, Inc. (dba)
HERRING
SURVEYING
& COMPANY

315 North 5th Street, Leav., KS 66048
Ph. 913.651.3658 Fax 913.674.5381
Email - survey@teamcash.com

Van Parys, David

From: Joe Herring <herringsurveying@outlook.com>
Sent: Wednesday, June 1, 2022 10:37 AM
To: Van Parys, David
Subject: Fw: Eisenhower and Tonganoxie Road

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.

See Brian Faust response below. City of Leavenworth Public Works Director.

Sent via the Samsung Galaxy S21 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Brian Faust <brian.faust@firstcity.org>
Sent: Tuesday, August 31, 2021 3:33:11 PM
To: Joe Herring <herringsurveying@outlook.com>
Subject: RE: Eisenhower and Tonganoxie Road

We have the road but the county has the property. Would need the access point as far from the intersection as possible – didn't know if you had a sketch of where they would like the access point to be?

Brian

From: Joe Herring [mailto:herringsurveying@outlook.com]
Sent: Monday, August 30, 2021 11:23 AM
To: Brian Faust <brian.faust@firstcity.org>
Subject: Re: Eisenhower and Tonganoxie Road

Could be bad info from the County -

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Brian Faust <brian.faust@firstcity.org>
Sent: Monday, August 30, 2021 11:20 AM
To: Joe Herring <herringsurveying@outlook.com>
Subject: RE: Eisenhower and Tonganoxie Road

News to staff that we are taking over maintenance of this area. I will double check.