

We encourage everyone to view the meeting live via YouTube.

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

***Regular Meeting Agenda***  
300 Walnut Street, Suite 225  
Leavenworth, KS 66048  
August 7, 2024  
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENT PRAYER
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting and limited to three minutes per person. 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 the meeting of July 31, 2024
  - b) Approval of the schedule for the week August 12, 2024
  - c) Approval of the check register
  - d) Approve and sign the OCB's
- VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve a quit-claim deed correcting prior erroneous deed as presented.
- b) Consider a motion to approve the change order for base stabilization for the bridge ST-60 project in the amount of \$22,027.89.

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

- a) Budget discussion as needed

IX. ADJOURNMENT

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

**Monday, August 5, 2024**

**Tuesday, August 6, 2024**

**Wednesday, August 7, 2024**

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

**Thursday, August 8, 2024**

12:00 p.m.      LCDC meeting

**Friday, August 9, 2024**

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

\*\*\*\*\*July 31, 2024 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, July 31, 2024. Commissioner Culbertson, Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith and Commissioner Stieben are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Jamie Miller, EMS/Health Department Director; Larry Malbrough, Information Systems Director; Bob Weber, County Appraiser, Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Jeral Cooper, John Matthews

**PUBLIC COMMENT:**

Jeral Cooper commented.

**ADMINISTRATIVE BUSINESS:**

Commissioner Doug Smith spoke about 178<sup>th</sup> Street after Mr. Cooper's public comment.

Commissioner Kaaz asked Mr. Loughry to brief the public on the budget process.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, July 31, 2024.***

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

Jamie Miller requested approval of a proposal from Health Gauge for annual health assessment screenings.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve and sign the proposal with Health Gauge for the annual Health Assessment screenings.***

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

Bill Noll requested approval of a contract with Ebert Construction for the replacement of bridge HP-36.

***A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to approve a contract with Ebert Construction for the replacement of bridge HP-36 on 187<sup>th</sup> Street in the amount of \$866,750.00 with a 5% contingency.***

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

Mr. Loughry presented a bid from Treanor for architectural and engineering services for the restoration of the Courthouse.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to accept a bid from Treanor for architectural and engineering services for the restoration of the Courthouse in the amount of \$323,500.00 with a 10% contingency.***

***Motion passed, 4-1 Commissioner Doug Smith voting nay.***

Amy Allison presented Resolution 2024-18, a rezoning request from RR-5 to RR-2.5 located at

***A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith to adopt Resolution 2024-18 and approve the rezoning as outlined in Case DEV-24-075 based on the findings on***

*the Golden Factors, as set forth in the staff report and as substantiated by the findings of fact as adopted by the Planning Commission.*

*Motion passed, 5-0.*

Ms. Allison presented Resolution 2024-19, a special use permit for Noyes Family Farm.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to table the proposed special use permit DEV-24-030 until August 21, 2024.*

*Motion passed, 5-0.*

Larry Malbrough presented the quarterly report for Information Systems.

Jamie Miller presented the quarterly report for EMS and the Health Department.

Bob Weber presented the quarterly report for the County Appraiser's Office.

The Board briefly discussed the budget.

Commissioner Stieben will hold a town hall in Easton on Sunday.

Commissioner Kaaz attended the KCATA Board of Directors meeting, participated in the Sequential Intercept Mapping training through Community Corrections, attended the Buffalo Soldier ceremony, the community baby shower and the CASA 30<sup>th</sup> Anniversary celebration.

Commissioner Culbertson met with the Fort Leavenworth Task Force to discuss EMS services on Fort Leavenworth.

Commissioner Doug Smith attended the Basehor City Council meeting and the Fairmount Township meeting. He reported Friday is Senior Day at the County Fair.

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

*Motion passed, 5-0.*

The Board adjourned at 10:31 a.m.

# **LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE**

**Monday, August 12, 2024**

**Tuesday, August 13, 2024**

**Wednesday, August 14, 2024**

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

**Thursday, August 15, 2024**

**Friday, August 16, 2024**

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: 07/28/2024 END DATE: 07/31/2024

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#							
6637	CCAK	COUNTY COUNSELORS ASSN OF KS	343226	109812 AP	07/31/2024	4-001-5-09-202	VIRTUAL CLE CLASSES	MB, DVP	60.00		
6637	CCAK	COUNTY COUNSELORS ASSN OF KS	343226	109812 AP	07/31/2024	4-001-5-09-202	VIRTUAL CLE CLASSES	MB, DVP	60.00		
6637	CCAK	COUNTY COUNSELORS ASSN OF KS	343226	109812 AP	07/31/2024	4-001-5-09-202	VIRTUAL CLE CLASSES	MB, DVP	.00		
									*** VENDOR	6637 TOTAL	120.00
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-02-301	ENVELOPES,INK, PAPER ROLLS FOR		31.40		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-05-215	TONGANOXIE - WATER SVC EMS 910		63.29		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-05-280	7-20 MIDWEST MOBILE RADIO MONT		438.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-06-216	AT&T PLANNING		86.46		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-07-208	7-20 MIDWEST MOBILE RADIO MONT		1,106.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-07-210	AT&T LVSO 1005		4,337.75		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-07-210	AT&T SHERIFF 5018		92.46		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-11-205	KTA - CO ATTY		5.20		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-14-301	ENVELOPES,INK, PAPER ROLLS FOR		601.35		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-001-5-49-340	ENVELOPES,INK, PAPER ROLLS FOR		542.28		
									*** VENDOR	648 TOTAL	7,304.19
8686	EVERGY SIRENS	EVERGY KANSAS CENTRAL INC	343245	227	07/31/2024	4-001-5-14-220	ELEC SV COURTHOUSE		14,053.50		
8686	EVERGY SIRENS	EVERGY KANSAS CENTRAL INC	343245	227	07/31/2024	4-001-5-33-392	ELEC SVC CUSHING		10,374.11		
									*** VENDOR	8686 TOTAL	24,427.61
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		75.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		75.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		450.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020003 MARCH AUTOPSIE		450.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		2,475.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		40.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		850.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		75.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		500.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		20.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		1,060.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	343231	109817 AP	07/31/2024	4-001-5-13-271	G10CBFM02020006 JUNE AUTOPSIES		850.00		
									*** VENDOR	5824 TOTAL	38,470.00
236	INTERPRETERS	INTERPRETERS INC	343232	109818 AP	07/31/2024	4-001-5-19-221	DIST CT INTERPRETER 7/10/24		175.56		
66366	KANSAS GAS ACH	KANSAS GAS SERVICE	343246	228	07/31/2024	4-001-5-14-220	510614745 1631910 36 GAS SVC A		52.54		
537	LEAV TIMES	CHERRYROAD MEDIA INC	343234	109820 AP	07/31/2024	4-001-5-06-218	21250 PUBLIC NOTICES		14.38		
537	LEAV TIMES	CHERRYROAD MEDIA INC	343234	109820 AP	07/31/2024	4-001-5-06-218	21250 PUBLIC NOTICES		12.38		

START DATE: 07/28/2024 END DATE: 07/31/2024

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#						
537	LEAV TIMES	CHERRYROAD MEDIA INC	343234	109820 AP	07/31/2024	4-001-5-06-218	21250 PUBLIC NOTICES		11.18	
537	LEAV TIMES	CHERRYROAD MEDIA INC	343234	109820 AP	07/31/2024	4-001-5-06-218	21250 PUBLIC NOTICES		15.58	
							*** VENDOR	537 TOTAL		53.52
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	343235	109821 AP	07/31/2024	4-001-5-01-201	OPK595_K BOCC - LAST COPIES ON		638.30	
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	343235	109821 AP	07/31/2024	4-001-5-04-201	OPL304_K ROD COPIES		2.80	
							*** VENDOR	2059 TOTAL		641.10
718	SCHMITTYS	SCHMITTYS CUSTOM APPAREL & ACC	343213	109810 AP	07/30/2024	4-001-5-28-223	HR OPEN ENROLLMENT SHIRTS		320.00	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-01-302	JUNE POSTAGE		6.59	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-02-302	JUNE POSTAGE		35.29	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-03-302	JUNE POSTAGE		120.32	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-05-302	JUNE POSTAGE		530.12	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-06-302	JUNE POSTAGE		52.48	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-07-302	JUNE POSTAGE		269.30	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-09-232	JUNE POSTAGE		13.74	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-11-302	JUNE POSTAGE		655.80	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-14-302	JUNE POSTAGE		98.98	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-14-302	JUNE POSTAGE		.64	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-19-302	JUNE POSTAGE		1,326.73	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-28-302	JUNE POSTAGE		88.72	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-41-302	JUNE POSTAGE		108.67	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-49-302	JUNE POSTAGE		184.77	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-001-5-53-301	JUNE POSTAGE		2.56	
							*** VENDOR	575 TOTAL		3,494.71
826	WERRING LAW	WERRING LAW LLC	343242	109828 AP	07/31/2024	4-001-5-09-231	COURT APPOINTED CONFLICT ATTOR		180.00	
826	WERRING LAW	WERRING LAW LLC	343242	109828 AP	07/31/2024	4-001-5-09-231	COURT APPOINTED CONFLICT ATTOR		132.00	
826	WERRING LAW	WERRING LAW LLC	343242	109828 AP	07/31/2024	4-001-5-09-231	COURT APPOINTED CONFLICT ATTOR		120.00	
							*** VENDOR	826 TOTAL		432.00
100	WITNESS LIST	WITNESS	343243	109829 AP	07/31/2024	4-001-5-14-221	DIST CT VOUCHER 235		25.00	
							TOTAL FUND 001			75,516.23
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-108-5-00-601	7-20 MIDWEST MOBILE RADIO MONT		75.00	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-108-5-00-302	HEALTH DEPT POSTAGE JUNE		168.51	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-108-5-00-606	HEALTH DEPT POSTAGE JUNE		83.16	
							*** VENDOR	575 TOTAL		251.67
							TOTAL FUND 108			326.67
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-126-5-00-210	AT&T COMMUNITY CORRECTIONS		251.35	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-126-5-00-321	JUEN POSTAGE		10.24	
							TOTAL FUND 126			261.59
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-133-5-00-207	7-20 MIDWEST MOBILE RADIO MONT		500.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343215	224	07/30/2024	4-133-5-00-440	7-55 PW:TE: CAULK GUNS/EPOXY		428.09	
							*** VENDOR	648 TOTAL		928.09
1351	LEAV ASPHALT	LEAVENWORTH ASPHALT MATERIALS	343233	109819 AP	07/31/2024	4-133-5-00-362	7-49 495 BM2		16,894.93	
1123	POMPMIDWEST EFT	POMP'S TIRE SERVICE INC	343216	225	07/30/2024	4-133-5-00-309	7-50 1960724 TIRES		1,594.25	
25739	REEVES-WIE	REEVES-WIEDEMANN CO	343236	109822 AP	07/31/2024	4-133-5-00-440	7-52 135082 PIPE, COUPLINDS, E		378.41	
113	SUMNERONE INC	SUMNERONE INC	343238	109824 AP	07/31/2024	4-133-5-00-301	7-53 50LWC CANON COPIES		71.41	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-133-5-00-301	7-24 JUNE POSTAGE		25.31	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-54 437 CRS-1HP		15,854.88	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-54 437 CRS-1HP		15,294.76	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-54 437 CRS-1HP		15,123.24	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-54 437 CRS-1HP		15,541.32	



TYPES OF CHECKS SELECTED: \* ALL TYPES

				P.O.NUMBER	CHECK#						
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-51 ACCT 437	CRS-1HP		15,410.00	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-51 ACCT 437	CRS-1HP		15,822.72	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-51 ACCT 437	CRS-1HP		15,678.00	
1241	VANCE BROS	VANCE BROS INC	343241	109827 AP	07/31/2024	4-133-5-00-362	7-51 ACCT 437	CRS-1HP		15,726.24	
									*** VENDOR	1241 TOTAL	124,451.16
									TOTAL FUND 133		144,343.56
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43	LAMAR TEXAS	LAMAR TEXAS LIMITED PARTNERSHI	343214	223	07/30/2024	4-135-5-00-200	846102 OPIOID BILLBOARDS			840.00	
43	LAMAR TEXAS	LAMAR TEXAS LIMITED PARTNERSHI	343214	223	07/30/2024	4-135-5-00-200	846102 OPIOID BILLBOARDS			1,800.00	
									*** VENDOR	43 TOTAL	2,640.00
									TOTAL FUND 135		2,640.00
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-136-5-00-206	AT&T COMMUNITY CORRECTIONS			50.27	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-136-5-00-226	AT&T COMMUNITY CORRECTIONS			50.27	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-136-5-00-246	AT&T COMMUNITY CORRECTIONS			100.54	
									*** VENDOR	648 TOTAL	201.08
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-136-5-00-301	JUNE POSTAGE			5.08	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-136-5-00-321	JUNE POSTAGE			5.08	
									*** VENDOR	575 TOTAL	10.16
									TOTAL FUND 136		211.24
-----											
862	CLAY COUNTY ENGINE	CLAY COUNTY ENGINE REBUILDERS	343227	109813 AP	07/31/2024	4-137-5-00-320	7-12 BEARINGS, OTHER PARTS			1,703.50	
446	EQUIPMENT SHARE	EQUIPMENT SHARE INC	343229	109815 AP	07/31/2024	4-137-5-00-320	7-11 48309 CASE FILTERS, SENSO			333.87	
									TOTAL FUND 137		2,037.37
-----											
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	343244	226	07/31/2024	4-138-5-00-226	AT&T COMMUNITY CORRECTIONS			202.08	
									TOTAL FUND 138		202.08
-----											
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-145-5-00-302	JUNE POSTAGE			212.06	
									TOTAL FUND 145		212.06
-----											
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-146-5-00-302	JUNE POSTAGE			1,992.66	
									TOTAL FUND 146		1,992.66
-----											
385	CNH INDUSTRIAL	CNH INDUSTRIAL CAPITAL AMERICA	343228	109814 AP	07/31/2024	4-155-5-00-4	7-22223213 OUR 15-03 LEASE PMT			11,311.10	
									TOTAL FUND 155		11,311.10
-----											
6917	RWD 1	RURAL WATER DIST #1	343237	109823 AP	07/31/2024	4-160-5-00-210	WATER METER SOLID WASTE			31.81	
575	US POSTAL SERVICE	US POSTAL SERVICE (QUADIENT-PO	343240	109826 AP	07/31/2024	4-160-5-00-201	JUNE POSTAGE			54.93	
									TOTAL FUND 160		86.74
-----											
615	KIMLEY-HORN	KIMLEY-HORN & ASSOCIATES, INC	343205	1755 AP	07/29/2024	4-171-5-02-201	7-7 SS4A PLAN SVC TO 6.30.24			21,000.00	
196	OLSSON	OLSSON, INC	343206	1756 AP	07/29/2024	4-171-5-00-201	7-6 019-28310 PROF SVC TO 7.6.			995.00	
602	THOMPSON, ADAM	ADAM WADE THOMPSON	343207	1757 AP	07/29/2024	4-171-5-01-301	7-5 HRRR TONG187-PERMANENT EAS			748.87	
									TOTAL FUND 171		22,743.87
-----											
2777	ALFRED BENESCH & CO	ALFRED BENESCH & CO	343208	10262 AP	07/29/2024	4-172-5-00-301	ARPA244 3.1 CULVERTS TO MAY 19			5,422.00	
6557	KAAZ CONST	KAAZ CONSTRUCTION CO	343209	10263 AP	07/29/2024	4-172-5-00-301	ARPA245 3.1 CULVERTS GRP 1			22,098.68	
6557	KAAZ CONST	KAAZ CONSTRUCTION CO	343209	10263 AP	07/29/2024	4-172-5-00-301	ARPA246 3.1 CULVERTS GRP 1			78,435.00	
									*** VENDOR	6557 TOTAL	100,533.68
									TOTAL FUND 172		105,955.68

TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#						
1737	AT&T-CAROL STREAM IL	AT&T	343225	109811 AP	07/31/2024	4-174-5-00-210	913A38-0682 421 2 COMMS 3 TOWE	432.66		
1737	AT&T-CAROL STREAM IL	AT&T	343225	109811 AP	07/31/2024	4-174-5-00-210	913A38-0682 421 2 COMMS 3 TOWE	432.66		
1737	AT&T-CAROL STREAM IL	AT&T	343225	109811 AP	07/31/2024	4-174-5-00-210	913A38-0682 421 2 COMMS 3 TOWE	432.66		
1737	AT&T-CAROL STREAM IL	AT&T	343225	109811 AP	07/31/2024	4-174-5-00-210	913A38-0682 421 2 COMMS 3 TOWE	24.94-		
								*** VENDOR	1737 TOTAL	1,273.04
								TOTAL FUND 174		1,273.04
-----										
11982	UNIFIED GO	WYANDOTTE COUNTY SHERIFF	343239	109825 AP	07/31/2024	4-195-5-00-3	JUNE JUVENILE HOUSING	19,350.00		
								TOTAL FUND 195		19,350.00
-----										
119	FINNEY & TURNIPSEED	FINNEY & TURNIPSEED TRANSPORTA	343230	109816 AP	07/31/2024	4-220-5-01-400	7-3 BR A-60 CONST INSP TO 7.24	20,144.65		
119	FINNEY & TURNIPSEED	FINNEY & TURNIPSEED TRANSPORTA	343230	109816 AP	07/31/2024	4-220-5-10-400	7-2 HP36 DESIGN FINAL	19,800.00		
								*** VENDOR	119 TOTAL	39,944.65
								TOTAL FUND 220		39,944.65
-----										
								TOTAL ALL CHECKS		428,408.54

TYPES OF CHECKS SELECTED: \* ALL TYPES

FUND SUMMARY

001	GENERAL	75,516.23
108	COUNTY HEALTH	326.67
126	COMM CORR ADULT	261.59
133	ROAD & BRIDGE	144,343.56
135	COMM CORR OPIOID	2,640.00
136	COMM CORR JUVENILE	211.24
137	LOCAL SERVICE ROAD & BRIDGE	2,037.37
138	JUV INTAKE & ASSESSMENT	202.08
145	COUNCIL ON AGING	212.06
146	COUNTY TREASURER SPECIAL	1,992.66
155	LSR CAPITAL EQUIP RESERVE	11,311.10
160	SOLID WASTE MANAGEMENT	86.74
171	S TAX CAP RD PROJ: BONDS	22,743.87
172	AMERICAN RECOVERY PLAN	105,955.68
174	911	1,273.04
195	JUVENILE DETENTION	19,350.00
220	CAP IMPR: RD & BRIDGE	39,944.65
	TOTAL ALL FUNDS	428,408.54

## Consent Agenda 8/7/24 Checks 07/28-07/31

\_\_\_\_\_  
\_\_\_\_\_

## Leavenworth County Request for Board Action

**Date:** July 25, 2024

**To:** Board of County Commissioners

**Cc:** Misty Brown, Mark Loughry

**From:** David C. Van Parys

**Department Head Approval:** N/A

**Additional Reviews as needed:**

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

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**Action Requested:** Approval of Quit-Claim Deed correcting prior erroneous Quit-Claim Deed.

**MOTION:** I move that the board approve the execution of the Quit-Claim Deed as presented.

**Recommendation:** Approval of Action Requested.

**Analysis:** As part of the formation of Sewer District No. 9 the property owners of property upon which the treatment lagoon system was to be constructed deeded to the county, by a quit-claim deed dated January 22<sup>nd</sup> 1999, that property. The lagoon system was later decommissioned and the county executed a quit-claim deed attempting to return the property to the surviving prior owner, that deed dated April 18, 2016. Unfortunately, the quit-claim deed named a trust as the transferee when, in fact, no such trust existed. That owner has since deceased and the property, through probate, is now the lawful property of two individuals who wish to sell the property.

A title search on the property has discovered the discrepancy created by the 2016 quit-claim deed and the attorneys for the owners are requesting that the county execute a new quit-claim deed to remedy the situation. Attached is (1) a letter from legal counsel for the owners explaining the matter; (2) Copies of the two prior deeds referenced above; (3) a copy of the probate ruling conferring ownership of the property to the two new owners, and (4) a proposed Quit-Claim Deed from the county to those two new owners, the purpose of which is to give them clear title.

**Alternatives:** Require the two new owners to file a Quiet Title action. This would be an unnecessary hardship upon them.

**Budgetary Impact:** .None

- 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 Attached.

July 19, 2024

Sent via email to: [dvanparys@leavenworthcounty.gov](mailto:dvanparys@leavenworthcounty.gov)

David Van Parys  
Senior County Counselor, Leavenworth County  
300 Walnut  
Leavenworth, KS 66048

**Re: Kansas Quitclaim Deed, Document No. 2016R-03053**

Dear Mr. Van Parys:

Our office represents Audra Raylene Dodd and Joyce Carlene Scott. I am contacting you on their behalf to hopefully resolve a title issue with a property they have inherited.

E. Joyce Evans (“Joyce”) and her husband J.R. Evans, as joint tenants with rights of survivorship, owned the following real estate in Leavenworth County, Kansas:

A tract of land in the Northwest Quarter of Section 14, Township 11 South, Range 22 East of the 6th P.M., described as follows:

Commencing at the Southeast corner of Lot 47, Glenwood Estates Subdivision; thence South 70d31’19” West, 11.17 feet to the point of beginning of this tract; thence South 84d25’23” East. 325.00 feet; thence South 05d35’27” West, 564.00 feet; thence North 84d25’23” West, 325.00 feet; thence North 05d35’27” East. 564.00 feet to the point of beginning, less any part thereof taken or used for road purposes. Containing 4.2 acres more or less.

Parcel ID No. 52-186-14-0-00-00-029.15-0 (the “Lagoon”)

On January 22, 1999, the Lagoon was transferred by quit claim deed to Leavenworth County Board of Commissioners. Exhibit A. Based on information from our clients, the heirs, the county was preparing to exercise its power of eminent domain over the Lagoon.

J.R. Evans passed away on April 13, 2010. Exhibit B. In 2016, the county transferred ownership back to Joyce, as surviving spouse and sole fee simple owner of the Lagoon.

However, when transferring the Lagoon back to the owner, the county listed the Grantee as “The Joyce E. Evans Trust.” Exhibit C. Our office prepared Joyce’s estate plan, and there has never been a Joyce E. Evans Trust.

July 19, 2024  
Page 2

Joyce passed on December 29, 2018. Our office assisted with probate administration of her estate under Leavenworth County District Court Case No. 2019-PR-000014. As set out in the Journal Entry of Final Settlement, all interest in real estate held by E. Joyce Evans at the time of her death was assigned to Audra Raylene Dodd and Joyce Carlene Scott. Exhibit D.

Now, while attempting to sell the property, our clients have discovered the underlying title issue concerning the Lagoon. To correct this issue, we are respectfully asking that the Board of County Commissioners execute either:

- (i) A Corrective Deed clarifying that the Kansas Quitclaim Deed dated April 18, 2016 and recorded as Doc No. 2016R-03053 transferred all interest held by the Board of County Commissioners to E. Joyce Evans, a widowed person, and not the Joyce E. Evans Trust;
- (ii) A Quitclaim Deed transferring all interest currently held by the Board of County Commissioners in the Lagoon to Audra Raylene Dodd and Joyce Carlene Scott; or
- (iii) A Quitclaim Deed transferring all interest now held by the Board of County Commissioners in the Lagoon to the Estate of E. Joyce Evans, deceased.

Please don't hesitate to reach out to me with any questions, concerns, or alternative options. Thank you for your time and consideration in this matter.

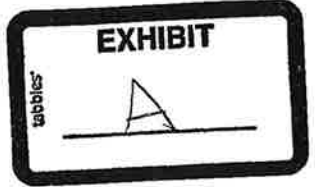
Sincerely,

EVANS & MULLINIX, P.A.

By:   
HALE G. WEIRICK

HGW/  
enclosure

QUIT CLAIM DEED (Following Kansas Statutory Form)



J.R. Evans and Joyce E. Evans, husband and wife

C/CO  
1/1  
√2

QUIT CLAIM TO *Leavenworth County Commissioners*

Sewer District No. 3

all the following described REAL ESTATE in the County of *Leavenworth* and the State of Kansas, to-wit:

A tract of land in the Northwest 1/4 of Section 14, Township 11 South, Range 22 East of the 6th P.M., described as follows: Commencing at the Southeast corner of Lot 47, Glenwood Estates Subdivision; thence South 70 degrees 31'19" West, 111.17 feet to the point of beginning of this tract; thence South 84 degrees 25'23" East, 325.00 feet; thence South 05 degrees 35'27" West, 564.00 feet; thence North 84 degrees 25'23" West, 325.00 feet; thence North 05 degrees 35'27" East, 564.00 feet to the point of beginning, less any part thereof taken or used for road purposes,

in LEAVENWORTH COUNTY, KANSAS

Access Easement to the sewage lagoon site described as follows: A twenty foot wide access easement in the West 1/2 of Section 14, Township 11 South, Range 22 East of the 6th P.M., lying 10 feet each side of the following described centerline; Commencing at a point on the South line of Glenwood Estates Subdivision and 10 feet East of the centerline of 157th Street, which is also the point of beginning of this easement; thence South 00 degrees West, 10.00  
Continued

for the sum of AND NO/100-----DOLLARS (\$ )

*J.R. Evans*  
\_\_\_\_\_  
J.R. Evans  
*Joyce E. Evans*  
\_\_\_\_\_  
Joyce E. Evans

Dated

STATE OF KANSAS, *Leavenworth* COUNTY, ss

BE IT REMEMBERED, That on this *22* day of *Jan* A.D. 19*99*, before me, the undersigned,

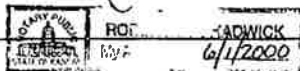
a Notary Public \_\_\_\_\_ in and for the County and State aforesaid, came J.R. Evans and Joyce E. Evans, husband and wife

who are personally known to me to be the same person s who executed the within instrument of writing and such persons    duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

*Robert O. Chadwick*  
\_\_\_\_\_  
Notary Public.

Term expires *6/1/2000*



Continuation of Legal Description

feet; thence North 90 degrees East, 107.79 feet; thence South 05 degrees 35'27" West, 126.22 feet to the end of the easement.

RESERVATION CLAUSE:

Grantor, their heirs, successors and assigns, hereby expressly reserve a right of reversion in said real property herein conveyed in the event that said real property ceases to be utilized by Sewer District No. 3, or its successors, as a public sewage treatment facility.

STATE OF KANSAS  
COUNTY OF LEAVENWORTH }  
FILED FOR RECORD

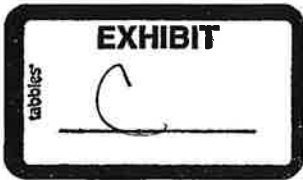
1999 JAN 29 P 12: 40

DORA I. PARMER  
REGISTER OF DEEDS

Entered in the transfer record in my office this

29 day of Jan, 19 99  
Hinda A Scheer by D Stein  
County Clerk





Entered in the transfer record in my office this  
18 day of April, 2016  
Janet K. [unclear]  
by B. Jones County Clerk

**KANSAS QUITCLAIM DEED**

Ex: #12

This indenture, Made this 18<sup>th</sup> day of April, 2016, by and between THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LEAVENWORTH, KANSAS, of the first part, and THE JOYCE E. EVANS TRUST of the second part:

WITNESSETH, That said party of the first part, in consideration of the sum of Contribution, Gift or Donation and 0/100 DOLLARS to it duly paid, has sold, and by these presents does Remise, Release and Quitclaim unto the said party of the second part, its heirs and assigns, forever, all that tract or parcel of land situated in the County of Leavenworth and State of Kansas described as follows, to-wit:

*A tract of land in the Northwest Quarter of Section 14, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M., described as follows:*

*Commencing at the Southeast corner of Lot 47, Glenwood Estates Subdivision; thence South 70°31'19" West, 111.17 feet to the point of beginning of this tract; thence South 84°25'23" East, 325.00 feet; thence South 05°35'27" West, 564.00 feet; thence North 84°25'23" West, 325.00 feet; thence North 05°35'27" East, 564.00 feet to the point of beginning, less any part thereof taken or used for road purposes. Containing 4.2 acres more or less.*

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances thereto belonging, unto said parties of the second part and unto their heirs and assigns forever, so that neither the said parties of the first part and, not their heirs, nor any other person or persons for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by those presents, be excluded and forever barred.

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

Signed, sealed and delivered in the presence of us:

\* 2 0 1 6 R 0 3 0 5 3 2 \*

Doc #: 2016R03053

STACY R. DRISCOLL/REGISTER OF DEEDS  
LEAVENWORTH COUNTY

RECORDED ON  
04/18/2016 02:10PM

RECORDING FEE: 26.00

INDEBTEDNESS: 0.00

PAGES: 2

Robert W. Holland  
Bob Holland, Chair

Dennis Bixby  
Dennis Bixby

Clyde D. Graeber  
Clyde D. Graeber

BW 5/26

**ACKNOWLEDGMENT**

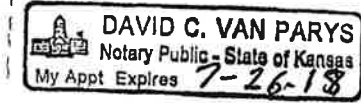
**STATE OF KANSAS**

**COUNTY OF LEAVENWORTH**

NOW on the 18<sup>th</sup> day of April, 2016, came before me, a Notary Public of the State and County aforementioned, Bob Holland, Dennis Bixby and Clyde D. Graeber, the members of the Board of County Commissioners of the County of Leavenworth, Kansas, being personally know to me, and who did each execute the foregoing Assignment of Easement and who did each acknowledge their execution of the same.

  
Notary Public

My Commission expires:





ELECTRONICALLY FILED  
2019 Aug 07 PM 3:31  
CLERK OF THE LEAVENWORTH COUNTY DISTRICT COURT  
CASE NUMBER: 2019-PR-000014



**Court:** Leavenworth County District Court  
**Case Number:** 2019-PR-000014  
**Case Title:** In the Matter of the Estate of E Joyce Evans  
**Type:** JOURNAL ENTRY OF FINAL SETTLEMENT

SO ORDERED.

/s/ Honorable Gerald Kuckelman, District Court  
Judge

IN THE DISTRICT COURT OF LEAVENWORTH COUNTY, KANSAS  
PROBATE DEPARTMENT

IN THE MATTER OF THE ESTATE OF )  
E. JOYCE EVANS, DECEASED. )

Case No. 2019 PR 000014  
Chapter 59

JOURNAL ENTRY OF FINAL SETTLEMENT

At this time, is heard the Petition for Final Settlement filed by Audra Raylene Dodd and Joyce Carlene Scott, Executors of the Estate of E. Joyce Evans, deceased.

Petitioners appear by and through Petitioners; attorney, Timothy J. Evans, of Evans & Mullinix, P.A. There are no other appearances.

After examining the files, hearing the evidence, statements and arguments of counsel, and being duly advised in the premises, the Court finds:

1. Due diligence has been exercised in the search for names, ages, relationships, residences and addresses of heirs, devisees, legatees and creditors.
2. Notice of hearing has been waived by all interested parties, which waivers have been filed and are approved.
3. All of the allegations of the Petition are true.
4. All the terms and provisions of the Service Members Civil Relief Act have been complied with as to any interested person or persons who are in the service of the United States or its allies.
5. Notice has been given to creditors; no demands have been filed against the estate ; and the time for filing demand has expired.
6. The decedent owned at the time of death the following annuities:

- a. National Western Life Insurance Company Non-Qualified Annuity Policy #0101226936
  - b. National Western Life Insurance Company Non-Qualified Annuity Policy #0101186839
  - c. National Western Life Insurance Company Non-Qualified Annuity Policy #0101195086
  - d. AIG Policy #HAD022559F
7. Executors should be authorized to execute assignments distributing the above-described annuities to the devisees, Audra Raylene Dodd and Joyce Carlene Scott, in equal shares.
8. Petitioners have filed herein a full and completed accounting of receipts and disbursements as Executors.
9. All of the acts and proceedings of the Executors have been in accordance with the law and the Orders of this Court and approved.
10. The decedent was survived by the following named persons who are so far as is known or can with reasonable diligence be ascertained, are all of decedent's heirs:
- Audra Raylene Dodd, adult, daughter, 17970 158<sup>th</sup> Street, Basehor, KS 66007
- Joyce Carlene Scott, adult, daughter, 17438 158<sup>th</sup> Street, Basehor, KS 66007
11. Decedent had no spouse or children or issue of deceased children, or other heirs who survived the decedent other than the persons named above.
12. The names, ages, relationships, residences and addresses of the devisees and legatees so far as know or can with reasonable diligence be ascertained are:
- Audra Raylene Dodd, adult, daughter, 17970 158<sup>th</sup> Street, Basehor, KS 66007
- Joyce Carlene Scott, adult, daughter, 17438 158<sup>th</sup> Street, Basehor, KS 66007

13. The following heirs, devisees and legatees have a legal disability or are in the military service. The names and addresses of their duly appointed personal representatives, so far as known or can with reasonable diligence be ascertained are: None.

14. The Last Will and Testament of decedent should be construed to distribute the estate as follows:

One-half (½) to Audra Raylene Dodd, adult, daughter

One-half (½) to Joyce Carlene Scott, adult, daughter

IT IS THEREFORE BY THE COURT CONSIDERED ORDERED, ADJUDGED AND DECREED that:

A. The above findings are hereby made a part of the Order and decree of this Court.

B. The accounts of Audra Raylen Dodd and Joyce Carlene Scott, Executors of the Estate of E. Joyce Evans are settled and allowed and all Executors' acts and proceedings are approved.

C. The assets remaining in the hands of the Executors, and all other real and personal property owned by the decedent at the time of death, subject to any lawful disposition heretofore made, are assigned pursuant to the terms of the decedent's Last Will and Testament, as herein construed, as follows:

One-half (½) to Audra Raylene Dodd, adult, daughter

One-half (½) to Joyce Carlene Scott, adult, daughter

D. Executors are hereby authorized and directed to execute and deliver assignments distributing the annuities described above to the devisees entitled thereto, Audra Raylene Dodd and Joyce Carlene Scott, in equal shares.

E. Upon the filing of proper receipts, the administration of the estate shall be closed, and Audra Raylene Dodd and Joyce Carlene Scott shall be finally discharged as Executors of the Estate of E. Joyce Evans, deceased, and shall be released from further liability.

F. This Order is effective as of the date and time shown on the electronic file stamp.

EVANS & MULLINIX, P.A.

*/s/ Timothy J. Evans*

TIMOTHY J. EVANS, KS #6992

[tevans@emlawkc.com](mailto:tevans@emlawkc.com)

7225 Renner Road, Suite 200

Shawnee, KS 66217

(913) 962-8700

(913) 962-8701 (fax)

Attorneys for Executors

QUIT CLAIM DEED

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, between The Board of County Commissioners of the County of Leavenworth, Kansas (“Grantor”), and Audra Raylene Dodd, a married person, and Joyce Carlene Scott, a single person, as tenants in common (“Grantee”).

WITNESSETH, that said Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) to Grantor duly paid, the receipt whereof is hereby duly acknowledged, has sold, and by these presents does GRANT, BARGAIN, SELL, RELEASE AND FOREVER QUIT CLAIM unto the said Grantee, Grantee’s heirs and assigns forever, all of the following described tract, piece, and parcel of land, situated in Leavenworth County, Kansas, to-wit:

**A tract of land in the Northwest Quarter of Section 14, Township 11 South, Range 22 East of the 6th P.M., described as follows:**

**Commencing at the Southeast corner of Lot 47, Glenwood Estates Subdivision; thence South 70°31’19” West, 111.17 feet to the point of beginning of this tract; thence South 84°25’23” East, 325.00 feet; thence South 05°35’27” West, 564.00 feet; thence North 84°25’23” West, 325.00 feet; thence North 05°35’27” East, 564.00 feet to the point of beginning, less any part thereof taken or used for road purposes. Containing 4.2 acres more or less.**

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

Pursuant to K.S.A. 79-1437e(a), a real estate validation questionnaire is not required due to exemption number 3.



Signed, sealed, and delivered in the presence of us:

\_\_\_\_\_  
Jeff Culbertson, Chair

\_\_\_\_\_  
Vicky Kaaz

\_\_\_\_\_  
Doug Smith

\_\_\_\_\_  
Mike Smith

\_\_\_\_\_  
Mike Stieben

ACKNOWLEDGMENT

STATE OF KANSAS                    )  
  ) ss.  
COUNTY OF LEAVENWORTH    )

This Instrument was acknowledged before me on \_\_\_\_\_, 2024, by Jeff Culbertson, Vicky Kaaz, Doug Smith, Mike Smith, and Mike Stieben, being all the members of the Board of County Commissioners of the County of Leavenworth, Kansas, who are personally known to me, and who each executed the foregoing Quitclaim Deed and acknowledged their execution of the same.

\_\_\_\_\_  
NOTARY PUBLIC

# Leavenworth County Request for Board Action

**Date:** August 1<sup>st</sup>, 2024

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Approval:** WLN

**Additional Reviews as needed:**

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

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**Action Requested:** Approve the change order for base stabilization for project ST-60.

**Analysis:** This structure is located on 206<sup>th</sup> Street. This is the same change order type as was approved on the previous structure that was part of this contract. Benesch, as the design engineer, failed to incorporate the Geotechnical Engineer's report information in the bid tab and the necessary aggregate to achieve stabilization requirements was omitted. While this was an error, as it was omitted from the bid documents by Benesch, it is a requirement of the project that would have been the county's financial obligation if it had been properly included. Therefore, it is unlikely that we will be successful in recouping these costs as they should have been included in the original bid to construct the project.

**Alternatives:** Deny

**Budgetary Impact:** \$22,027.89

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

**Additional Attachments:** Change Order #4

# CHANGE ORDER

No. 4

PROJECT Leavenworth County Culvert Improvements

DATE OF ISSUANCE 7/26/24 EFFECTIVE DATE 7/26/24

OWNER Leavenworth County

OWNER's Contract No. \_\_\_\_\_

CONTRACTOR Julius Kaaz Construction ENGINEER Benesch

You are directed to make the following changes in the Contract Documents.

Description: The foundation for the Aluminum Arch must be stabilized. The engineer has created a detail for the required engineered fill. Contractor requested 11 days to complete additional work.

Attachments:

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price  \$ <u>738,464.00</u>	Original Contract Times  Substantial Completion: <u>July 1, 2024</u> Ready for final payment: _____ days or dates
Net changes from previous Change Orders No. <u>0</u> to No. <u>3</u>  \$ <u>49,260.98</u>	Net Change from previous Change Orders No. <u>0</u> to No. <u>3</u>  <u>36</u> days
Contract Price Prior to this Change Order  \$ <u>787,724.98</u>	Contract Times prior to this Change Order  Substantial Completion: <u>August 7, 2024</u> Ready for final payment: _____ days or dates
Net Increase (decrease) of this Change Order  \$ <u>22,027.89</u>	Net Increase (decrease) of this Change Order  <u>11</u> days
Contract Price with all approved Change Orders  \$ <u>809,752.87</u>	Contract Times with all approved Change Orders  Substantial Completion: <u>August 18, 2024</u> Ready for final payment: _____ days or dates

RECOMMENDED:

By:   
Engineer (Authorized Signature)

Date: 7/26/24

APPROVED:

By: \_\_\_\_\_  
Owner (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:

By:   
Contractor (Authorized Signature)

Date: 7/25/24

EJCDC No. 1910-8-B (1990 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.

## Change Order #4: ST-60 Foundation Stablization

**Explanation:** The contractor excavated to the bottom of the footings for the Aluminum Box culvert, the soil was tested for bearing pressure and found to bear less than the required 2000 PSF. The foundation requires stablization, the solution is a 1.5' layer of shot rock, geogrid, 1.5' layer of 1.5" clean rock this will allow for the bearing pressure of 2000 PSF.

See line items below for item costs.

Total for this change order = \$ 22,027.89

Change Order Cost					
Item No.	Item Description	Quantity	Unit	Unit Price	Extension
CO3-1	Common Excavation (Trench widening)	52	CY	180.00	9,360.00
CO3-2	1.5" Clean Rock	42	Ton	75.00	3,150.00
CO3-3	Shot Rock	82	Ton	100.00	8,200.00
CO3-4	Geogrid (Tensar BX1100 or Approved Equal)	50	SY	3.90	195.00
CO3-5	KDOT Commercial Grade HMA (2") Surface*	8	SY	67.05	536.40
CO3-6	KDOT Commercial Grade HMA (6") Base*	8	SY	53.05	424.40
CO3-7	Aggregate Base (AB-3) (4")*	9	SY	18.01	162.09
				<b>Net Change Order:</b>	<b>22,027.89</b>